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JUNIUS:

INCLUDING

LETTERS

BY THE SAME WRITER, UNDER OTHER SIGNATURES,

(NOW FIRST COLLECTED.)

TO WHICH ARE ADDED,

HIS CONFIDENTIAL CORRESPONDENCE

WITH

MR. WILKES,

AND HIS

PRIVATE LETTERS

ADDRESSED TO

MR. H. S. WOODFALL.

WITH

A PRELIMINARY ESSAY, NOTES, FAC-SIMILES, &c.

IN THREE VOLUMES.

VOL. III.

STAT NOMINIS UMBRA.

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1812.

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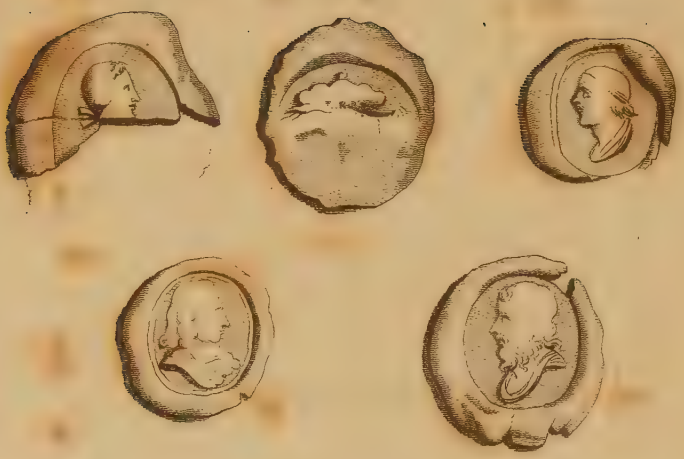

SEALS used by JUNIUS
in his correspondence with
Mr WOODFALL.

MISCELLANEOUS LETTERS

OF

JUNIUS.

LETTER XII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 16 *February*, 1768.

A MINISTER, who in this country is determined to do wrong, should not only be a man of abilities but of uncommon courage. To invade the rights, or to insult the understanding of a nation, qualified to judge well, and privileged to speak freely upon public measures, requires a portion of audacity unacquainted with shame, or of power which knows no control. Whether it be owing to a hardy disposition, or to the conceit of unlimited power, or to mere solid ignorance I know not, but it is too apparent that the present ministry, in

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BURNLEY.

every thing they do or attempt to do, are determined to set the understanding and the spirit of the English people at defiance. In a succession of illegal or unconstitutional acts, the instance of to-day ought at once to remind us of what they have done already, and to alarm us against what they may attempt hereafter. We have reason to thank God and the legislature, that some of the most flagitious of their enterprizes have been happily defeated. Their endeavour to establish a suspending power in the crown met with all the contempt it deserved *; nor have they yet quite succeeded in emancipating the colonies from the authority of the British legislature. But when open and direct attacks upon the constitution have failed, a bad ministry will naturally have recourse to some more artful measures, by which the prerogative of the crown may be extended, and the purposes of arbitrary power answered as effectually, and more securely to themselves. When attempts of this insidious nature are made, it is the duty of every subject, be his situation what it may, to point out the danger to his countrymen and warn them to guard against it. I shall take another opportunity to enquire into the le-

* See this subject further discussed in JUNIUS, Letter LX. EDIT.

gality of the appointment of a third secretary of state: at present let me be permitted to rouse the attention of the public to a later and to a still more flagrant stretch of prerogative. A prostitution or corruption of old offices may be as fatal to the constitution, as the illegal creation of new ones. In the Gazette of Saturday se'nnight we are informed, that the privy seal is committed to the care of three persons, whose commission is to continue six weeks *. From the names of these persons we can collect nothing, but that two of them are of Scottish extraction, and that the third is recorder of St. Albans; but from their insignificance and obscurity we may easily collect that there is some particular design in fixing on such persons to execute one of the first offices of the state. Why the Earl of Chatham should continue to hold an employment of this importance, while he is un-

* *Whitehall, Feb.* 2. The king has been pleased to issue his commission under the great seal, authorizing and empowering Richard Sutton, William Blair, and William Frazer, esqrs. or any two of them, to execute the office of keeper of his Majesty's privy seal, for and during the space and term of six weeks, determinable nevertheless at his Majesty's pleasure: and also to grant, during his Majesty's pleasure, to the Right Honourable William Earl of Chatham, the said office of keeper of his Majesty's privy seal, from and after the said term of six weeks, or other sooner determination of the said commission. EDIT.

able to perform the duties of it, is at least a curious question*. But it is infinitely more material to enquire why the interregnum is not committed to people of a higher rank and character.

The establishment of the several high offices of state forms a natural and constitutional check upon the prerogative of the crown. No illegal or unconstitutional grant, charter, or patent of any kind, can take effect from the mere motion of the sovereign, but must pass through a number of offices, in each of which it is the duty of the officer, if the case requires it, to remonstrate

* We have here another proof of the hostility of JUNIUS at one period to this nobleman, a previous proof having already occurred in the Miscellaneous Letters, No. 1, to the note appended to which we refer the reader.

In the Private Letters, No. 23, dated October 19, 1770, he still insinuates his dislike: for in requesting the printer of the Public Advertiser to contradict his being the author of the letters subscribed *A Whig and an Englishman*, he adds, "I neither admire the writer *nor his Idol*." Who the writer of these letters was we know not: but the *Idol* was certainly Lord Chatham.

In reality it was not till about the date of Letter LIV. under his favourite signature of JUNIUS, that he began to think commendably of this nobleman. "I am called upon," says he, in that letter, "to deliver my opinion, and surely it is not in the little censure of Mr. Horne to deter me from doing signal justice to a man, *who, I confess, has grown upon my esteem*." EDIT.

to the crown, as he himself is answerable for the consequences of any public instrument, which he has suffered to pass through his department. The delay of this progression has another good effect, in giving the subject time and opportunity to enter his protest against any sudden or inconsiderate grant, by which his own property, or the welfare of the country in general may be affected, and to have the matter fairly discussed.

The precedence annexed to these high offices (exclusive of the importance of the several degrees of trust reposed in them) sufficiently proves that they ought to be confined to men of the first character and consequence. Men of that degree may safely be trusted, because they have a greater stake to hazard, and are answerable to the public with their lives and fortunes. The dignity of the lord privy seal's office (next in rank to the president of the council) would of itself be a sufficient reason for giving it to none but men of birth and character, and the great trust, annexed to that dignity, is a farther reason for never committing such an office to any but men of the first rank and fortune. But in the choice of the present commissioners, there seems to be something particularly and singularly improper. When a caveat is entered against a grant from

the crown, and when a question of political and commercial importance is therefore to be discussed, can there be a higher insult to the public than to commit the determination of such a question to three persons very low in point of rank, and absolutely dependant in point of situation? Shall we not be justified in supposing that they are elected for no other quality but their insignificance? Whatever pretences may be alleged to the contrary, the public will have too much reason to suspect that these worthy commissioners are taught their lesson, and that the job is too dirty to be imposed upon gentlemen of a higher station than a clerk in office. I cannot believe that these persons could have been chosen by the Earl of Chatham. Whatever may be his faults, a man of spirit could no more lend his office than he could his mistress to the purposes of prostitution; much less would he descend to take either of them back again with a public mark of infamy upon them.

Now, Sir, let us suppose these three respectable persons seated upon their tribunal, with two Judges of England by their side, and the first lawyers of this country pleading before them upon a question of the first importance to this country; the Judges, I doubt not, will sit in silent wonder at the judicial abilities of these great men, and silent they must be, unless a

point of law should arise, on which the triumvirate shall deign to ask their opinion; the lawyers will naturally exert their utmost efforts, when they consider that they have the honour to plead before three gentlemen of such profound knowledge, such distinguished rank, and such inflexible probity, that neither ignorance, nor ministerial influence, nor private corruption, can have any share in their decision.

I pity the unhappy Englishman, for he perhaps may blush for his situation.

LETTER XIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

24 *February*, 1768.

Fluctus uti primo cæpit cum albescere vento,
Paullatim sese tollit mare, & altius undas,
Erigit, inde imo consurgit ad æthera fundo.

VIRG. ÆN. VII. 527.

SIR,

THE people of England are by nature somewhat phlegmatic. This complexional character is extremely striking, when contrasted with the suddenness and vivacity of many of our neighbours on the continent. It even appears remarkable among the several kindred tribes, which compose the great mass of the

British empire. The heat of the Welch, the impetuosity of the Irish, the acrimony of the Scotch, and the head-long violence of the Creolians, are national temperaments very different from that of the native genuine English.

This slowness of feeling, is in some respects inconvenient; but on the whole view of life, it has I think the advantage clearly on its side. Our countrymen derive from thence a firmness, an uniformity, and a perseverance in their designs, which enables them to conquer the greatest difficulties, and to arrive at the ultimate point of perfection in almost every thing they undertake.

Their slowness to passion has also another advantage. No wise man will lightly venture to do them a real injury. Their anger is not suddenly kindled, nor easily extinguished; it is dark and gloomy; it is nourished to a gigantic size and vigour, under a silent meditation on their wrongs, until at last it arrives at such a mature and steady vehemence, as becomes terrible indeed. It was on a consideration of this kind of character, that a great Poet says with a singular emphasis—"Beware the fury of a patient man."

It is surprising how much this character is exemplified in every part of our history. The long patience, amounting almost to tameness,

with which the people of England have borne the outrages of evil ministers, has only been equalled by the irresistible force by which they attacked, and the unrelenting severity with which they finally punished the authors of their great grievances.

I wish with all my heart that our time may furnish no such examples: and yet I confess, my fears are excited by appearances that are sufficiently alarming. The people of England have seen an administration formed, almost avowedly, under the direction of a dangerous, because private and unresponsible influence; and at the same time with an outward presidency of ministerial despotism, which by its very nature annihilated all public council. This they endured. They saw a course of the most scandalous and corrupt profusion of public money that ever was known in the kingdom, attended with such a neglect of every public duty, as if an experiment was intended, to try how far the state could subsist by its own strength, without any of the usual aids of active government. The people of England bore this likewise.

They saw the very first opportunity laid hold on to revive the doctrines of a dispensing power, state necessity, arcana of government, and all that clumsy machinery of exploded pre-

rogative, which it had cost our ancestors so much toil and treasure, and blood, to break to pieces. This we suffered with our usual patience. They saw an attempt made to render all the monied property of the kingdom loose and insecure, and to turn our national funds from being supports of public credit into instruments of ministerial power, and to take away that dependance upon law which had been in all ages the great source of our domestic happiness, and that firm reliance upon public faith which has been the means of making us respectable to all the world. The Englishman still continued sullen and silent.

Those very circumstances which strike terror into the heart of a wise man, are often such as inspire fools with confidence and presumption. Having had sufficient proof as they thought of the passive disposition of their fellow-citizens, and at a loss for precedents of despotism of a modern date in any civilized country, they begun to ransack the stores of antiquated oppression, and ventured to perpetrate an act (by a singular composition) of such consummate audacity and meanness of spirit, as it might well be thought impossible to unite.

In subserviency to the odious influence under which they act, this administration dared — to an informer nearly allied to that very in-

fluence*—at the time, and for the purposes of an election—refusing to hear counsel—not daring to take the opinion of the king's law servants—denying access to the records in their possession—to pass a grant of the estate of a noble and most respectable person, derived from a king, to whom we owe all our liberties; sixty-three years in undisputed possession, the subject of frequent settlements, and now actually a part of the jointure of the noble duchess †.

The people of England at length began to break silence. They might indeed look upon the private wrong as a matter of inward meditation, and a further exercise of their patience. But the principle of this grant has given a SHOCK TO THE WHOLE LANDED PROPERTY OF ENGLAND.

Called upon by this practical menace to all landed property, and by many other detached grievances, arising from the same absurd and tyrannical principle, *that no length of possession secures against a claim of the crown*, one of the ablest, most virtuous and most temperate men in the kingdom, supported by a steady band of

* The informer was the late Earl of Lonsdale, at that time Sir James Lowther, who had married a daughter of Lord Bute, whose *influence* is here alluded to. The estate belonged to the Duke of Portland. See Vol. II. Letter LVII. note. EDIT.

† Duchess of Portland. EDIT.

uniform patriots, has made an attempt in a certain great assembly, (without providing any remedy for this case of oppression,) to secure the subject at least for the future against such wild and indefinite claims.

Such was the spirit which manifested itself upon that occasion, that though for the present, after a glorious struggle they have failed, there is no sort of doubt, that the cry of reason, justice, policy, and the general feeling of the people, will shortly prevail*; and the rather, as this discussion has brought to light further designs of the most extraordinary nature, such as will, if not timely prevented, spread distraction from one end of the kingdom to the other. My next will be on that important subject.

MNEMON.

* By a bill called the Quieting Bill, and which was again brought forward by Sir G. Saville in the following year, and carried. But see the subject further elucidated and the final determination of the Court of Exchequer on the suit depending between Sir James Lowther and the Duke of Portland in the editor's note to JUNIUS's Letters, No. LVII. as also No. LXVII. EDIT.

LETTER XIV.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

4 *March*, 1768.

Oh, wretched State! Oh Bosom black as Death!
Oh limed Soul, that, struggling to be free,
Art more encaged.

SHAKSPEARE.

SIR,

INNOCENCE, even in its crudest simplicity, has some advantages over the most dexterous and practised guilt. Equivocal appearances may, to be sure, accidentally attend it in its progress through the world; but the very scrutiny which these appearances will excite, operates in favour of innocence; which is secure the moment it is discovered. But guilt is a poor helpless, dependent being. Without the alliance of able, diligent, and let me add, fortunate fraud, it is inevitably undone. If the guilty culprit be obstinately silent, his silence forms a deadly presumption against him. If he speaks, talking tends to discovery; and his very defence often furnishes materials towards his conviction.

This has been exactly the case of those unhappy men, (the ministry) in that apology for

their conduct, which they chuse to complicate with their opposition to the settlement of the national property. Nobody, not originally acquainted with the bottom of their proceedings, was able to discern the true nature and full extent of their crime, until we had seen upon what principles they grounded their defence.

It is worth while to lay this affair a little more open. The maxim of *Nullum Tempus occurrit Regi**, that *no length of continuance or good faith of possession is available against a claim of the crown*, has been long the opprobrium of prerogative, and the disgrace of our law. The ablest writers in that profession have ever mentioned it with abhorrence. The best judges have always cast an odium upon it, as being fundamentally contrary to natural equity, and all the maxims of a free government. And a superior genius, a great light of the age†, has not long since endeavoured to give it as great a check as judicature, unaided by legislative powers, is able to interpose.

The truth is, this prerogative has hitherto owed its existence principally to its disuse. It was an engine, at once so formidable to the

* The commencement of the obsolete law which in this case was appealed to by the minister: hence called the Nullum Tempus Law. EDIT.

† Sir George Saville. EDIT.

people, and so dangerous to those who should attempt to handle it, that it never was considered amongst the instruments of a *wise minister*. It remained like an old piece of cannon I have heard of somewhere of an enormous size, which stood upon a ruinous bastion, and which was seldom or never fired for fear of bringing down the fortification for whose defence it was intended.

But constituted as administration is at present, where real power is invested in one hand, and responsible office placed in another, from the security of the former situation, and from the servile dependence of the latter, it is no wonder that hazardous measures should be commanded without fear, and that they should be executed, though with the utmost trepidation and reluctance. From thence arose that desperate proceeding which has given such an universal alarm to property.

Upon the first attack on that rotten part of prerogative (out of whose corruption the late northern grant was generated) the ministers found themselves entirely at a loss. To defend their *Nullum Tempus* upon principles of liberty, or even upon principles of justice, was a thing clearly impossible. To abandon it without reflecting on their past conduct, and without giving up their future projects, was a point of equal

difficulty. It seems that they had hoarded up those unmeaning powers of the crown, as a grand military magazine, towards the breaking the fortunes and depressing the spirit of the nobility, for drawing the common people from their reliance on the natural interests of the country to an immediate dependance on the crown, and principally for enabling ministers, public or secret, to domineer and give the law in all future elections. They thought their scheme would then be complete, if the votes of freeholders, the very means which our ancestors had provided as the great security to our freedom, could be converted into the most certain instruments of the public servitude.

It was evident, that when they refused to give up this barbarous maxim, it was their intention to make some sort of use of it. Such a conclusion could not in any way be evaded. In this strait they took the part of avowing, that they did intend to find some employment for their favourite prerogative, which, after so long a trance, they had thought proper to disenchant, and to set in action. It was then their business to find some excuse for themselves, and some pretence of public utility for their system.

On this occasion they built upon two grounds very well worthy of the reader's utmost attention; the first I shall now point out; the latter,

and most important, would transgress the limits of your paper. It shall be reserved for another opportunity.

The first thing they did, was totally to disclaim their own *free agency*. In the highest department of the state, they declared themselves to be mere creatures of execution. They asserted, that they were in all matters of this sort entirely subservient to an officer, hitherto little heard of, but from henceforth to be a name of dreadful note in this country, THE SURVEYOR GENERAL. It is their system, that if *informers* (be they who they may, in circumstances of indigence to make any desperate attempt, or of wealth and power to combat the great, and crush the poor,) can contrive to obtain the surveyor's report in their favour, ministers are *obliged*, without farther inquiry, to grant to them patents to vex, harass, impoverish, possibly to ruin, any honest proprietor in the kingdom.

It is true that they supported themselves in this perverse doctrine by no one argument from law, usage, or common sense: but it is their system; and it is mentioned here, not to shew the depth of their understanding, but the malignity of their designs. For if once they could come to establish this their favourite point, things would stand thus:—The *surveyor gene-*

ral, who keeps all the crown titles, (*inaccessible to the subject*,) has an hint to find a weak part in some old possession; say of sixty, say of two hundred years. A court *favourite* has an hint to become an informer, a character no way incompatible with his own. Then all the rest follows of course. The lords of the Treasury *must* obey the informer, and make the reference; the surveyor *must* obey the Treasury and report; and then the Treasury in their turn *must* obey the surveyor, and direct the grant. The whole system moves, according to the preordained laws of despotism, in a circle of strict *necessity* *.

* In a debate which took place in the House of Commons, February 27, 1771, on a motion made by Sir William Meredith, to repeal a clause in the *Bill of Quiet*, which passed in the year 1768, Lord North thus defends himself from the grant in question:—

"The honourable gentleman [Mr. Cornwall, afterwards speaker of the House of Commons,] has revived in my memory a grant, which passed since I had the honour of holding the seal of the exchequer, and which seal, I am proud to own, was affixed by me to the grant in question. This he calls an abominable act: but in the situation I then was, and still am, I thought myself bound to pass it by every principle of duty to the crown, as the servant of the crown, and bound still more strongly by that duty which I owe to the public, as steward of the public estate, as far as it is intrusted to me. It is my glory that I passed the grant; and as often as mention of it is made, so often shall I think that honour imputed

In this procedure, who can convict the *surveyor general* of corrupt activity or obedience? He is only bound to prove, that the lands in question have been in some former age in the hands of the crown. This is not difficult: all the lands of the kingdom have been so. It is his duty, according to the present prerogative doctrines, not to discover, or to suffer to be discovered, any thing which may tend to clear and settle the right of the subject. He may have that in his office which would establish the very title he attempts to overthrow: but fairness in *his* situation is held to be a breach of trust, because the *crown* is always considered by these gentlemen, with respect to the *subject*, as an *adverse party;* and to exist in a state of *unremitting and immortal litigation* with the people.

Thus a mutual obedience, and a common impunity is established between these two great powers, the Treasury and the surveyor, grounded on the favourite principle of *necessity*. The only free agent in the whole transaction is the *informer:* but he is not only as dispunishable as the

to me." Notwithstanding Lord North's boast upon the occasion, the grant was ultimately set aside by the court of exchequer, on the ground that a *quit-rent* of *thirteen* and *four-pence* was not an adequate *third-part* of its clear yearly value. But see the decision of that court, as given in Vol. II. Letter LVII. Note. EDIT.

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others, but is highly meritorious into the bargain, for discovering what in their prerogative jargon is called a *concealment;* that is to say, in plain English, the ancient possession and inheritance of a valuable and loyal subject. By all these means *an office of inquisition is established in the true inquisitorial spirit, and with genuine inquisitorial powers, over all the landed property of England.* The use proposed to be made of it will be the subject of my next paper.

In the mean time it is a matter of very serious consideration, to observe the growth of arbitrary and despotic principles in this country: There is such a pernicious vigour in their vegetation, and such a rank luxuriance in the soil, that when they seem to be cut up even by the roots, they will suddenly shoot up in some other place, and under some other, and perhaps more dangerous appearance. Suppress them under the shape of *general warrants* or *seizure of papers*, they will start up in the form of *dispensing powers*, *forfeiture of charters*, *violations of public faith*, *establishments of private monopolies*, and *raising up antiquated titles for the crown.* There is a consideration still more melancholy: that many persons* apostatizing from their principle, betraying their associates, and combining with

* The Duke of Grafton is the person here alluded to.

their adversaries, make no other use of the credit they have derived from their former activity in the cause of freedom, than that they may approach it without suspicion, and wound it beyond all possibility of cure.

MNEMON.

LETTER XV.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

11 *March*, 1768.

What aileth thee MNEMON?
Why art thou so disquieted?
And why is thy understanding troubled?

Is it not very extraordinary, Mr. Printer, that the parts and abilities of *Mnemon* should be prostituted to the licentious abuse of the highest and most honourable board in this kingdom, composed of persons of the most unimpeached characters, because they have dared to grant some crown lands to Sir James Lowther, not comprehended in that of King William, to one of his Dutch imports, but usurped and illegally withheld by them?

Can any one review the parliamentary debates of that æra, and not be fired at the glori-

ous spirit exerted by the Commons of England against the enormous grant of crown lands made to the Dutch favourites of that monarch?

Was not the most scandalous partiality shewn to them in prejudice to the people of this country? Were not honours and riches heaped upon them with unexampled profusion?

Whence, in the name of God, all this clamour? What is it to the public, whether a Bentink or a Lowther succeeds? Are not the courts of law open to determine it? Can it be a subject for faction, or a pretext for abuse? No, sir; be assured the arrows wound not; the breast, fraught with conscious worth, feels not the shafts of envy.

ANTI-VAN TEAGUE.

LETTER XVI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *24 March*, 1768.

YOUR correspondent *Anti-van Teague*, in your paper of Friday se'nnight, has undertaken a task, far, I am afraid, above his abilities. His inclination I believe to be very good, but *non tali auxilio, nec defensoribus istis——Tempus*

eget. If *Nullum Tempus*, and the late most extraordinary and alarming use made of it, is now to be defended, I would advise that most honourable board, composed (as *Anti-van Teague* says) of persons of the most unimpeached characters, to hire abler advocates for its defence. Uncommon parts and no vulgar eloquence are required to subdue the fears and quiet the apprehensions of all the landed property of these kingdoms. When that most honourable board shall next think fit to bestow another estate upon a Lowther, or any other informer, wonderful no doubt will be the contented acquiescence of the person robbed, when he is assured that what is taken from him to gratify the Scotch favourite of to-day was given some hundred years ago by the crown to a Dutch favourite of that time. Surely, Sir, the noble duke who is the present sufferer, must feel great satisfaction in finding the sins of his ancestors visited upon him. A Stuart has at length risen up to avenge upon the memory of King William, and the descendants of all those embarked with him in the once glorious cause, the injuries and sufferings of that once (but now no longer) hateful name.

We have lived, Sir, to see an advocate for the ministry of George the Third defending their actions and justifying their conduct, by

asserting—not that their actions are just and their conduct clear, but that their injustice falls heavy on the posterity alone of those who by their arms and their counsel assisted our great deliverer to effect that revolution, to which and which alone we owe the establishment of his present Majesty's most illustrious and royal family on the throne of these kingdoms.

What *Anti-van Teague* means by unimpeached characters I cannot readily guess. I suppose he means the public character of the ministers or rather of the minister *. His private character I do not meddle with, but to call his character unimpeached, who is not only charged with, but to the sense of every impartial person convicted of the most daring and flagitious attacks upon the liberty and property of his fellow-subjects, is really surprising.

Is the revival of the suspending and dispensing powers of the crown an experiment of curiosity alone?—but for that he has in the most solemn manner been pardoned by an act of parliament, and therefore probably that will not make part of his impeachment. Is his open and wicked interference in elections, by threats and bribery, manifest to the whole nation (though his reverend instrument was ac-

* The Duke of Grafton. EDIT.

quitted) to be accounted no more than a good natured solicitude for his friends?

Are his violent attacks upon the monied and landed property of the people nothing more than dutiful exertions of his power to pay on one hand the debts of the civil list, and on the other hand to raise support, and extend that hidden, pernicious, and unconstitutional influence, in which, and by which, he lives and moves, and has his being?

Is his lavish and wasteful profusion of the public property in pensions, reversions, grants, and monopolies, a decent and becoming reward to those who have been, or are willing to be, his tools and creatures?

Is his activity in corruption and oppression, and his perfect idleness in, and neglect of, all public and national business, a spirited exertion on one hand, and a needful repose on the other?

I have, you see, Sir, not meddled with his private character; I leave that for him to *earth* in whenever he is hard run, according to the laudable example of his chancellor of the exchequer *. Let him resemble the great demigods of antiquity, who had also two characters, and whilst one-half of them was taken up to

* Lord North. EDIT.

heaven, the other half found its way to hell. I shall only advise *Anti-van-Teague* to recommend it to his patron not to trust too much to his double capacity, lest, at some odd turn, he may find his *private person* so involved in his *public character*, that the sharpest axe, and the most dexterous operator, may not be able to avenge the nation upon the *last*, without doing some small prejudice to the *first*.

I am, &c.
Not yet an enemy to the revolution.
ANTI-STUART.

LETTER XVII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

5 April, 1768.

Vivit? imò verò etiam in senatum venit: fit publici consilii particeps: notat, et limis designat oculis ad cædem unumquemque nostrûm.

SIR,

THE return of Mr. Wilkes to England, and the measures he has since pursued, have given the servants of the crown an opportunity of acting in a manner so becoming themselves, that it would be ingratitude not to take notice of their extraordinary merits upon this occasion. Our gracious sovereign undoubtedly thinks himself highly indebted to his ministers

for their uncommon care of his honour and dignity, as well as for their attention to the security of his house, family, and sacred person; and I may venture to assure them that the public in general have a just sense of the vigour and spirit with which they have administered the laws, and with which the peaceable part of his Majesty's subjects have been protected. What sort of thanks they will receive from their sovereign, I cannot tell, but, as far as my weak endeavours can reach, the nation shall not remain unapprised of the extent and species of our obligations to them.

A man of a most infamous character in private life is indicted for a libel against the king's person, solemnly tried by his peers according to the laws of the land, and found guilty*. To

* It has already appeared in several instances, that JUNIUS, subsequently to the present date, espoused the cause of Mr. Wilkes, or rather strenuously upheld him in his contest with the ministry upon the very subject adverted to in this letter. Yet the political conduct of JUNIUS was perhaps strictly and unimpeachably uniform. He had, at first, indeed, conceived a personal dislike to Mr. Wilkes, in consequence of his strenuous resistance to the general warrant which was served upon him during the administration in which Mr. George Grenville was chancellor of the exchequer, for whom, whether in office or out of office, JUNIUS ever manifested the strongest partiality. But in the present instance, Wilkes is only adverted to as an instrument of attack upon an administration which JUNIUS abominated;

avoid the sentence due to his crime, he flies to a foreign country, and failing to surrender himself to justice is outlawed. By this outlawry, he loses all claim to the protection of those magistrates, and of those laws, to which, by his evasion, he had refused to be amenable. After some years spent abroad, this man returns to England with as little fear of the laws, which he had violated, as of respect for the great person, whom he had wantonly and treasonably attacked. Without a single qualification either moral or political, and under the greatest disability, this man presumes so far upon the protection of the populace, as to offer himself a candidate to represent the metropolis of the kingdom. Disappointed in this attempt, notwithstanding all the efforts and violence of the rabble, he has still the confidence to offer himself to the freeholders of Middlesex as a proper

and as soon as he found that he could support this attack better by enlisting gentlemen in his favour than in opposition to him, he shrewdly took measures for such a purpose, and was fortunate enough to succeed.

There is the same apparent inconsistency in his being ultimately the friend of Lord Camden, who is here held up to public odium, and to Lord Chatham after having as warmly opposed him. But his change of opinion concerning these noblemen was by no means a sudden flight: it grew upon him slowly, and was the result of their own change of conduct. EDIT.

person to represent a county, in which he has not a single foot of land; and to complete the whole, we see a man overwhelmed with debts, a convict, and an outlaw, returned to serve in the British parliament as knight of a shire. These, Sir, are the main facts of Mr. Wilkes's case. The circumstances with which they were attended are no less atrocious. We saw the other candidates, gentlemen of large fortune, and of the most respectable characters, dragged from their carriages, and hardly escaping with life out of the hands of Mr. Wilkes's friends and companions. If the candidates were treated in this manner, you may imagine what sort of reception their friends met with in attempting to poll for them. The fact is, that great numbers were driven back by main force, or deterred by the threats of the populace; so that not a third part of the friends of Sir William Proctor and Mr. Cooke were ever permitted to approach the hustings. The conclusion of Monday and Tuesday night was perfectly consistent with the whole proceedings of the day. I need not enlarge upon this detestable scene, since there is hardly a family in London or Westminster which has not had reason to remember the day of Mr. Wilkes's election. The metropolis of the kingdom, the seat of justice, and the residence of the sovereign, and of the royal family,

was left, for two nights together, at the mercy of a licentious, drunken rabble, without the smallest guard, either civil or military, to secure the king's person, or to protect his subjects. Amidst all the horror and outrage of these transactions, is there one Englishman endowed with the smallest portion of reason or humanity, who can hear without grief and resentment, that, even in some of the royal palaces, to avoid worse consequences, illuminations were made to celebrate the success of a ——, who, after heaping every possible insult on the person of his sovereign, returns in triumph to brave and outrage him again, even in the place of his immediate residence!

Such was the scene, of which all the inhabitants of London and Westminster were witnesses to their cost. Let us now enquire what has been the conduct of the ministry during the course of it. Long before Mr. Wilkes appeared at Guildhall, it was well known that he was in London; and, if any measures had been taken by the ministry to secure him in consequence of his outlawry, it might undoubtedly have been done with the greatest facility. Why no process was sued for out of the Court of King's Bench, let the ministers answer if they can. But they have much more to answer for. They are responsible for all the conse-

quences of permitting this outlaw to appear at large, and for all the violences of which he has since been the author. By their indolence and neglect, or perhaps in consequence of a secret compact with him, this man has been suffered to throw the metropolis into a flame, to offer new outrages to his sovereign, and at last to force his way into parliament, where, if he were a man of any parliamentary abilities, I doubt not but he would reward them as they deserve. In the midst of all this tumult and confusion, the chancellor of Great Britain* and the first lord of the treasury† retire out of town, and leave the whole executive power of the crown to fall to the ground. In the name of God and the laws, are such men fit to govern a great kingdom? To say that they are, is an insult to the common understanding of mankind, and I hope our gracious sovereign will do justice to himself and to his people, by depriving them of a power, which they have either not courage or not honesty enough to exert in his service. I am persuaded there is not a man of property, sense, or honour in this country, who is not ready, heart and hand, to support the constitution, and to defend the sovereign, though his own immediate servants have deserted him.

* Lord Camden. † The Duke of Grafton.

We have hitherto taken no steps for our defence, because we expected the protection of government; but we are still strong enough to defend our lives and properties against Mr. Wilkes and his banditti, nor shall the treacherous example set us by the ministry ever induce us to abandon our own rights, or those of the chief magistrate.

C*.

LETTER XVIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *5 April*, 1768.

THERE is something so extraordinary in the conduct of the ministry, with respect to Mr. Wilkes, that I cannot help suspecting they have a secret motive for it, which the public is not aware of. It is to me inconceivable that he should have been suffered to return to England, and remain at large, notwithstanding his outlawry;—to offer himself a candidate for the

* The editor has already had occasion to observe in various places that C. was the signature adopted by JUNIUS in his private correspondence with the printer of the Public Advertiser. See more especially the private letters C. *passim*. EDIT.

metropolis;—to appear the leader of violence and riot uncontrouled;—and at last to succeed in his enterprize at Brentford;—unless all this had been done with the connivance and consent of the king's servants. My suspicions may perhaps be ill founded, but I think there is reason enough to apprehend that Mr. Wilkes would never have been permitted to go such lengths, if all were well between the ministry and the Earl of Bute. They certainly have a design to terrify the Scotchman, and to keep him in order, by producing their tribune once more upon the stage. Let the Thane look to himself! Mr. Wilkes, being a man of no sort of consequence in his own person, can never be supported but by keeping up the cry, and this cry can no way be maintained but by renewing his attacks upon the Scotch favourite and his countrymen. With this key we may, perhaps, account for the supineness and indifference with which the ministry have seen the laws trampled on, and the public peace and tranquillity destroyed, by the respectable Mr. Wilkes, and his no less respectable friends.

Yours,
Q IN THE CORNER.

LETTER XIX.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

12 *April*, 1768.

The common law hath so admeasured the king's prerogatives, that they should not take away nor prejudice the inheritance of any.

COKE'S INSTIT.

SIR,

THE extraordinary purpose to which an old maxim, or rather dictum of the common law, has lately been applied by the commissioners of the treasury, has led me to consider upon what principles it was originally founded, and whether it be applicable to the present circumstances of the British constitution. A resumption of lands held under a supposed grant from the crown, after a possession of near fourscore years, was an alarming measure to every English gentleman of landed property, but the principle on which it was defended was formidable enough to strike a terror into men of all ranks who had either estates or liberty to lose. A ministry, determined to invade the liberties or property of the subject, may in our law books find antiquated maxims to support the most violent stretches of prerogative; and if it be admitted that no length of possession is good against the crown, I hardly know that right or

privilege, much less any tract of soil possessed by the subject, which may not be disputed or resumed at the pleasure of the sovereign. It has been a fashion with some writers to represent the feudal government as a system of liberty: but I must confess that a constitution, wherein the king is supposed to be the original owner of all the lands; wherein we have seen the nobility at perpetual war with the sovereign, and bringing their vassals into the field against him, or against one another; and wherein the whole body of the people was held in absolute dependance upon the petty tyrants, does not present to me the idea of political liberty in any part of it. The greatest commendation it deserves is, perhaps, that it was capable of improvement. Accordingly it has been so altered and so mended, that a man must be well read in law to discover any trace of it in the present form of our government; and I am justified by modern statutes in asserting, that we never thought our constitution completely settled upon the basis of freedom, until every mark of feudal services and dependence was abolished by parliament.

But though great improvements have been made, there remains yet a great deal to be done; and if the crown be permitted to recur to maxims of law which prevailed when a system

of government subsisted very different from the present, the most arbitrary measures may still pass for a legal exertion of the royal prerogative. I am still the king's liege man, and may be sent from one part of the country to the other, from the care of my family and affairs, and perhaps in my absence a *nullum tempus* may deprive me of my estate. The argument alleged by lawyers in favour of their own rule, that no delay shall bar the king's right, (viz. "because the law intends that the king is always busied for the public good, therefore has not leisure to assert his right within the times limited to subjects,") will hardly bear a strict examination, especially if referred to the present establishment. Either it is not well founded in fact, or the reasoning on which it depends will prove too much. It is not true at this day, and I doubt whether it ever were true, that the law (which is the solemn sense and opinion of the people) supposes the king so continually employed about public affairs, as to be entitled to an extraordinary indulgence in the neglect of those precautions which concern the private interests of the crown. If, indeed, the king were supposed to transact and govern the affairs of the kingdom in his own person; or if he had not a number of officers whose duty it is to take care of and transact every business

relative to his private rights, and private property, an indulgence of this nature to a chief magistrate, so much employed, and so little assisted, might not be thought very unreasonable. But when, on the one hand, the ministers of the crown are alone responsible for the conduct of public affairs; and when, on the other, it is the business of the treasury, of the exchequer, of the land surveyors, and of a multitude of other officers to oversee and manage the revenues and distribution of the crown lands, I hold it to be highly unconstitutional as well as absurd, to introduce the person of the sovereign as claiming an indulgence to himself for neglects, which are properly the neglects of his servants. But admitting the excuse of public employment for private negligence to be valid, let us see how far it will reach. If the sovereign, on account of his high occupations, be entitled to such a privilege, his ministers certainly have a claim to their share of it. The lords, who are hereditary counsellors of the crown; —the judges;—every member of the House of Commons, and ambassadors sent abroad, may all plead public employment; nor can there be any good reason alleged why every officer engaged in the public service, from the high chancellor down to the bum-bailiff, should not be allowed his proportion of *nullum tempus*, ac-

cording to their several ranks, and the time they continue in employment. But it were endless to refute arguments which have neither truth nor meaning.

The maxim, that *nullum tempus occurrit regi*, if ever, could only be true under the feudal government. It was then a national interest to preserve the royal demesne entire, because the support of the royal dignity depended upon it. The king, out of his revenue, defrayed the expence of his family and government, and never applied for aids to the people, but upon pretence of extraordinary emergencies. By preserving this separate property to the king, the people in effect preserved their own, and therefore admitted without reluctance a maxim introduced by the lawyers of the crown, since it tended to deter individuals from invading a branch of royal revenue, any deficiency in which must have been made good out of the public stock. Nothing less than a reason of this public nature could have procured submission to a doctrine full of hardship and oppression to the subject, and which, in favour of the crown, directly contradicted those rules of common law, by which the possession of property between man and man was secured.

To revive and enforce a maxim of this sort, when not one of the reasons subsist on which it

was originally founded, when the king's family and government are supported by a fixed revenue of eight hundred thousand pounds raised upon the people, is certainly a most unwarrantable and a most dangerous attempt. Under the present board of treasury, the reign of Empson and Dudley seems to flourish again; and where is the man who can say his liberty or his property is secure to him, if antiquated doctrines and obsolete laws may be brought to life at the breath of a young, inconsiderate, arbitrary minister, and sent abroad to attack every subject whom he shall think proper to call an enemy to government? A minister capable of recommending such measures to the crown, calls to my mind the idea which our ancestors had of some black magician conjuring up infernal spirits from the depths of the earth and of the sea, and letting them loose to the destruction of mankind. Delusions of this sort have indeed been long since exploded; but there are other diabolical arts, which certainly do exist, which ministers practise, but which I hope will be as little able to maintain themselves against the improved understanding and well-directed firmness of the English nation.

C.

LETTER XX.

For the Public Advertiser.

23 April, 1768.

TO HIS GRACE THE DUKE OF GRAFTON.

Is it enough that Abra should be great
In the wall'd palace or the rural seat?
Oh, no! Jerusalem combined must see
My open shame and boasted infamy.

MY LORD,

PERMIT me to congratulate your grace upon a piece of good fortune which few men, of the best established reputation, have been able to attain to. The most accomplished persons have usually some defect, some weakness in their characters, which diminishes the lustre of their brighter qualifications. Tiberius had his forms:—Charteris now and then deviated into honesty; and even Lord Bute prefers the simplicity of seduction to the poignant pleasures of a rape. But yours, my lord, is a perfect character: through every line of public and of private life you are consistent with yourself. After doing every thing, in your public station, that a minister might reasonably be ashamed of, you have determined, with a noble spirit of uniformity, to mark your personal his-

tory by such strokes as a gentleman, without any great disgrace to his assurance, might be permitted to blush for. I had already conceived a high opinion of your talents and disposition. Whether the property of the subject, or the general rights of the nation were to be invaded; or whether you were tired of one lady, and chose another for the honourable companion of your pleasures; whether it was a horse-race or a hazard-table; a noble disregard of forms seemed to operate through all your conduct. But you have exceeded my warmest expectations. Highly as I thought of you, your grace must pardon me when I confess that there was one effort which I did not think you equal to. I did not think you capable of exhibiting the lovely Thais * at the opera-house, of sitting a whole night by her side, of calling for her carriage yourself, and of leading her to it through a crowd of the first men and women in this kingdom. To a mind like yours, my lord, such an outrage to your wife, such a triumph over decency, such insult to the company, must have afforded the highest gratification. When all the ordinary resources of pleasure were exhausted, this I presume was your *novissima voluptas*. It is of a lasting nature,

* Miss Parsons, afterwards Lady Maynard. EDIT.

my lord, and I dare say will give you as much pleasure upon reflection, as it did in the enjoyment. After so honourable an achievement, a poet's imagination could add but one ray more to the lustre of your character. Obtain a divorce*, marry the lady, and I do not doubt but Mr. Bradshaw will be civil enough to give her away with an honest, artless smile of approbation.

LETTER XXI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 23 *April*, 1768.

If I were to characterize the present ministry from any single virtue which shines predominant in their administration, I should fix upon *duplicity* as the proper word to express it.

I would not here be misunderstood: I do not by this mean only the little sneaking quality, commonly called double-dealing, which every petty-fogging rascal may attain to; but

* The Duke of Grafton was, subsequently to the date of this letter, divorced from Miss Liddel, then Duchess of Grafton, and married, not the lady in question, but Miss Wrottesley, niece to the Duchess of Bedford. See JUNIUS, Letter XII. EDIT.

that real *duplicity* of character which our ministers have assumed to themselves, by which every member of their body acts in two distinct capacities, and, Janus-like, bears two faces and two tongues, either of which may give the lie to the other without danger to his reputation.

This is the present catholic political faith, which, unless a man believes, he shall not get a place; and if people would attend to this, they would be able to account for many of our great men's actions, which are unaccountable any other way.

By this rule a man may say as a judge, that the loss of an Englishman's liberty for twenty-four hours only is grievous beyond estimation; and then as a minister may declare, that forty days' tyranny is a trifling burthen, which any Englishman may bear *.

As a member of parliament, a man may give his word that a certain bill shall be dropped; and the next day, as a chancellor of the exchequer, may bring it into the house.

A first lord of the treasury may declare upon his honour that he has no concern in India stock; but there is nothing in this to

* In allusion to Lord Camden's opinion upon the power of the crown to suspend an act of parliament. See the subject further discussed in JUNIUS, Letter LIX. EDIT.

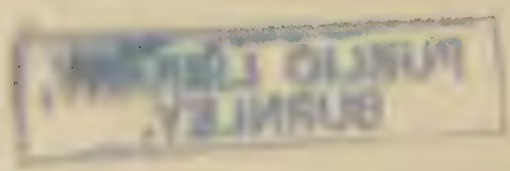
PUBLIC LIBRARY, BURNLEY.

hinder him as a private man from having a share with any young lady of *virtue* to the amount of £20,000.

In those cases, you see, the duplicity of character in which they act, covers the parties from all sort of blame: but I will now do honour to the noble duke who, from under the footstool of gouty legs *, has crept into the elbow chair, who, though green in years, is ripe in devices. It is he who has carried this double-faced virtue to its greatest pitch. He has not only practised it with great success in public affairs, but has also lately introduced it into dealings between man and man.

Every body knows the story of *nullum tempus*, and the application of it to rob the Duke of Portland of £30,000. The Duke of Grafton (as set forth in a case lately published) upon a representation, before any proceedings were had in the affair, did actually promise to the Duke of Portland, "That no step should be taken towards the decision of the matter in question till his grace's title should be stated, referred to, and reported on, by the proper officer, and fully and maturely considered by the board of treasury."—Had the Duke of Portland been fully apprised of the new doc-

* Lord Chatham's. EDIT.



trine of the two-fold state of ministers, he would have considered this promise (as it was really meant) as illusory, and only an expedient to lull him asleep while the business was going on. But his grace knew no more of this maxim than if he had been an India director, and thought that a promise was a promise in whatever character it was given: so while he in full confidence was preparing the proofs of his right, the affair in dispute was given away, and the new grant to Sir James Lowther made out, signed, and sealed in the treasury without even "his grace's title being stated, referred to, or reported on, by the proper officer, or fully and maturely considered by the board."

Lest any one should think that I partially ascribe this conduct of the Duke of Grafton to my favourite principle of two natures, when it ought to be layed to some other of his grace's virtues, I shall here quote a reply to the Duke of Portland's case, lately published (as it is said) under the auspices of the treasury, where this doctrine is defended with equal modesty and truth. The writer begins by admitting the promise, which he says was *inadvertently* given by the Duke of Grafton; but, then he says, "since he was the king's

servant, and had no title to the making this promise, he perceived he was not in honour bound to adhere to it."—Now here is a fair distinction between the king's servant and the man of honour, a distinction which, I believe, few people at present are disposed to deny. His grace (who has undoubtedly very delicate perceptions) perceived that as a king's minister he was not bound to keep a promise which he had made as a private man; and in this (continues the pamphleteer) "he can be supported by the soundest casuists."—I am not deeply read in authors of that professed title, but I remember seeing Bassambaum, Saurez, Molina, and a score of other jesuitical books, burnt at Paris for their *sound casuistry* by the hands of the common hangman. I do not know that they have yet found their way to England, unless perchance it be to the library of his Grace of Grafton, where they probably stand with the chapter of promises dog-eared down for the perusal of scrupulous statesmen.

This doctrine, once fully established, will add a great facility to business, and prevent unnecessary delays: for example—in former times a minister would have been exceedingly hampered with such a promise as we have here cited: he would have shifted, and delayed, and

played the back-game to have got rid of it, or to reconcile the breach to his conscience and reputation : but here you see there was no unnecessary delay; the business went on; and he who acknowledged that he had given his word in a private capacity, brings the book to prove that as a first lord of the treasury " he was not bound to adhere to it,"—and this is sound casuistry. Thus a man who is dexterous in a state legerdemain, may play his two characters like cups and balls; speak, write, read, lie, promise, swear, and you can never catch him till the box drop out of his hand.

I proposed to have made this a complete panegyric on the Duke of Grafton; but I find it extremely difficult to draw *one* character of a man that acts in *two*. If, however, my poor attempt towards it should find favour in his sight, I hope he will on a future occasion afford me the means of distinguishing between his two characters, as Moliere's Sosia does between the two Amphitrions, " c'est l'Amphitrion chez qui l'on dine."

BIFRONS.

LETTER XXII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

6 *May*, 1768.

Nil admirari.

HOR.

SIR,

When the advocates of the ministry assure us that there never was a set of men more careful of the happiness of his Majesty's subjects, I presume it is Horace's sense of happiness which they would be understood to promote. If it be their design to reduce us to a state of resignation in which we shall wonder at nothing they do, their bitterest enemies must confess that their endeavours to make us happy have been no less indefatigable than ingenious. By a regular progression from surprize to wonder, from wonder to astonishment, and so on through all the forms of admiration, they have at last conducted us to that philosophical state of repose, which may set even the miracles of the present ministry at defiance. If the force of example, beyond all ethics, had not made me as callous as a shoeing-horn, the contents of Saturday-night's Gazette would, I confess, have made me stare. When his Majesty (God bless him!) is in

perfect health, to be informed that the first session of a new parliament is to be opened by commission, is a novelty, which, had I been less confirmed in my principles than I am, would I own have filled me with a certain portion of amazement *. That the minister himself should have his reasons for not being very desirous to meet a parliament, or that he should wish to answer for his conduct by confusion, is not so extraordinary; but that he should give such advice to a prince, beloved, adored by his people, is a step, which, in my present condition, does every thing but surprize me. Is it possible, Mr. Printer, that the ministry should not know what sort of interpretation will be given to this measure; or did they mean to give the finishing stroke to Mr. Wilkes's triumph, and to the dishonour which they, and they alone, have heaped upon the crown? I

* *From the London Gazette, Whitehall, April* 30. It being His Majesty's royal intention, that the parliament, which is summoned to meet on Tuesday the 10th day of May next, should then meet and sit; the King has been pleased to direct a commission to pass the great seal, appointing and authorizing his royal highness the Duke of Gloucester, his royal highness the Duke of Cumberland, Thomas, Lord Archbishop of Canterbury, and other lords, to open and hold the said parliament on the said 10th day of May next, being the day of the return of the writs of summons. EDIT.

protest, Sir, I had very near betrayed my principles, and suffered an indecent expression of surprize to escape me. At a time when the residence of the sovereign was really exposed to violence and insult *, these worthy ministers gallantly retreated from the danger; but now, to make amends for that desertion, they affect a care for the king's security, equally ridiculous and disgraceful. What, Sir, is government in their hands really sunk so low that they dare not hazard a meeting between their sovereign and his parliament? Or are they afraid that another language might be held to parliament than that which they dictate; that some expression of a just resentment of their baseness should escape; or do they acknowledge to the world their apprehensions of the populace? If that be the case, I can only say that the infamy of the measure can be exceeded by nothing but the vileness of the motive.

These distant hints, I hope, Sir, (as I think the ministry do not pique themselves much upon steadiness) may appear time enough to induce them to recommend a different system, more worthy of the crown, though less worthy of themselves.

C.

* See note in Vol. I. p. 126. and Miscellaneous Letters, No. XVII. p. 27. of this vol. EDIT.

LETTER XXIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 12 *May*, 1768.

I HAVE read in your paper of this day a second letter in defence of the conduct of the treasury relative to the late extraordinary grant. That conduct was a specimen of their principles. They have now thought fit to give the public a sample of their reasoning.

Their letter *ought* to have been (if it had been what it pretends to be) an answer to the several accusations laid against them in a pamphlet, entitled, "The Duke of Portland's Case." Their answer *is* an attempt to prove, that the Duke of Portland had no right in law to those lands, of which he and his family have so long continued in possession, and which have been lately granted by the treasury to Sir James Lowther, son-in-law to the Earl of Bute.

I do not mean here to make any reply to the futile arguments by which the ministers, or their advocate, endeavour to establish this point. Because the point itself is, as they know, wholly foreign to the question; and does in no sort concern the public. They shall not

be permitted to evade in this manner the real edge of the charge that lies against them.

The charge against them is *not* that they have granted to Sir James Lowther an estate, which, in law, is the right of the Duke of Portland; but that they partially, and in many parts of the proceeding, surreptitiously, upon the bare report of a subordinate officer, without suffering his vouchers to be examined, without hearing council, or allowing time or means of defence to the party, or of due information to themselves, have violated the equitable and presumptive rights of long and undisputed possession, for the purposes of undue influence at an election, and of paying a base court to a clandestine and dangerous power.

This *is* the charge against them; which they have not attempted to answer; which they never can answer; and which will fix a brand upon their foreheads, that no sophistry will be able to efface, and no veils of ministerial artifice will be thick enough to conceal, from the eyes of an indignant and an injured people.

The ministers affect to be surprised that the writer of the Duke of Portland's case has taken no notice of his grace's title, and has not set forth the surveyor-general's report against it: they are at liberty to amuse themselves

with such observations. I hope that writer will never give them any disturbance in their learned pleadings on this subject. He has, I trust, too much sense to moot in the public papers the legal construction of a clause in a crown grant.

It is a matter of perfect indifference to the public, whether the grant, for instance, of the manor of *Dale* is sufficient to convey *Swale* also, as its appendant; or whether *Swale* ought specifically to be named. These are not the sort of questions with which we are affected: the ministers may think it wise, perhaps, to hazard the good faith of a crown grant upon such subtle criticisms. Their operation one way or the other (if prescription had not intervened,) would not have been a matter greatly to concern the public: but it does concern the public, and in the highest degree, whether long quiet, undisputed possession, which is the best of titles against the subject, shall or shall not be a title at all against the crown? Whether a treasury availing itself of a remnant of odious, and for a long time inactive barbarism, shall upon points of legal subtilty endeavour to shake that title? Whether they shall refuse a search of the only material office for settling the doubts that they raised? Whether they shall decline taking the opinion of the king's law servants on such important points of law? Whether they shall re-

fuse to hear the party by his council? And whether without any of those forms, sense of justice, and of all decency and candour, they shall arm a wealthy and powerful informer with a crown claim to harass and oppress the subject.

These are the points in the Duke of Portland's case, in which the public is concerned. If no prescription is pleadable against the crown, and if the treasury, without hearing, is suffered at pleasure to halloo an informer at your estate, on the bare report of a surveyor's duty, their own creature:—woe to the property of England! Remember that almost all that property has at one time or other flowed from royal grants. No possessor, no purchaser, no mortgagee is safe; no further safe than he is covered by the act of James the First, which is now sought to be converted from a temporary regulation into a perpetual rule of law.

That truly wise and patriotic bill, which the ministerial gentlemen are pleased to term factious, was what our ancestors called for, and so far as it regarded themselves, obtained, on the alarm of just such sort of grants as this to Sir James Lowther. They did not contend that the grants should be made, only in cases where the crown had a plausible title. No; they maintained "that such titles prior to sixty years

should not be set up at all." They demanded that the crown should litigate with the subject on the same terms of equity on which the subjects litigated with one another; and that sixty years of possession should bar a *royal* as well as a *private* claim.

They lived, indeed, in an age of extravagant prerogative, and they could not obtain this right fully for posterity: but they did what they could, and secured it for themselves. The arguments of the ministry are not against the Duke of Portland, but against the doctrine of prescription itself; against natural justice; and against the principles of that wise and constitutional, though (by the misfortune of its time) imperfect law, the statute of the 21st of King James the first.

What do we care, whether this dormant and antiquated claim of the crown be well or ill founded in strict law? I take it for granted, that it has no foundation; and make no sort of doubt that when it comes to trial, it will appear scandalously groundless. Besides the favourable presumption that ought to operate for possession, the whole conduct of the treasury gives me a right to conclude against them. If they were so sure of the validity of their claim, why did they not a little discuss the grounds of the

surveyor's report, and order him to produce his vouchers? How could it hurt this or any other fair claim (supposing this a fair one,) to have the records in his office inspected? Would a fair claim be hurt by having it openly and solemnly debated by council? Any set of men who have regard even to decorum in their injustice, could never have acted with this barefaced partiality to one person, and with such a scandalous spirit of oppression towards another.

It was in their official capacity they ought to have seen the right of the crown to make this grant defended, and the right of the Duke of Portland examined. They ought to have had the king's council to cover them with their opinions and arguments in point of law; and not to have first passed the grant without hearing or examination, and then trusted for their apology to a legal discussion argued miserably, and without authority, in a common newspaper. Their arguments might have been produced with some grace and some weight to the public, when it was known that they had been officially considered, and fairly canvassed among all the parties concerned, *before the act was done;* and that these arguments were the grounds of their conduct, not excuses for their delinquency. At present they can only excite contempt for

their weak defence of those actions, whose atrociousness had before merited the abhorrence of all good men.

VALERIUS.

LETTER XXIV.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 19 *May*, 1768.

An officer of the guards on whose veracity I can rely, has informed me, that the secretary at war has thought proper to write a letter of thanks to the commanding officer of the troops lately employed in St. George's Fields*. The substance of it, as well as I can

* As this letter is frequently alluded to by Junius in the course of the present work, we shall here insert a copy of it:—

" SIR, " *War-Office*, 11 *May*, 1768.

" Having this day had the honour of mentioning to the king the behaviour of the detachments from the several battalions of foot-guards which have been lately employed in assisting the civil magistrates, and preserving the public peace, I have great pleasure in informing you, that his Majesty highly approved of the conduct of both the officers and men, and means that his Majesty's approbation should be communicated to them through you. Employing the troops on so disagreeable a service always gives me pain; but the circumstances of the times make it necessary.

remember, is rather of an extraordinary nature, and I think deserves the attention and consideration of the public. I understand that his lordship thanks them, in the king's name, for their good behaviour, and assures them, that his Majesty *highly approves* of their conduct. He farther engages his promise, that whatever bad consequences may ensue, they may depend upon the utmost assistance and support that his office can afford them*. Without entering into

I am persuaded they see that necessity, and will continue, as they have done, to perform their duty with alacrity. I beg you will be pleased to assure them that every possible regard shall be shewn to them: their zeal and good behaviour upon this occasion deserve it; and in case any disagreeable circumstance should happen in the execution of their duty, they shall have every defence and protection that the law can authorise, and this office can give.

"I have the honour to be,
"Sir,
"Your most obedient, and most
humble servant,
"BARRINGTON."

"Field officer in staff waiting for the
three regiments of foot-guards.
"Officers for guard on Saturday next,
Lieut. Col. Groin, &c. &c." EDIT.

* In the riot here alluded to, which originated from a vast concourse of people assembled together opposite the King's Bench prison, on May 10, in the expectation that Wilkes would be liberated from it on this day in order to take his seat in parliament (it being the first day of its ses-

the evidence on which the coroner's verdict against an officer and some soldiers of the guards was founded, I shall not scruple to say that this mention of the King's name is very improper and indecent. The father of his people undoubtedly laments the fatal necessity which has occasioned the murder of one of his subjects, but cannot be supposed to *approve highly* of a conduct which has had dreadful consequences. An event of this shocking nature may admit of excuse and mitigation from circumstances of necessity, but can never be the object of the *highest royal approbation;*—much less was it proper to signify such strong approbation of a conduct which includes a fact still *sub judice*, and the particulars of which are not yet known with any degree of certainty.

The secretary at war would have done better in confining his letter to the expression of his own sentiments. What he has said for himself, if I am rightly informed, will require more wit

sion), about fourteen persons were shot and more wounded by the precipitate firing of the military. Among the rest was a young man of the name of Allen, who had taken no part in the tumult, and was slain in an out-house belonging to his father (who lived in the neighbourhood,) in the very act of imploring mercy of the soldiers who shot him. Some of the military more immediately engaged were secured by the civil power, and were on the point of taking their trial for the murder. And it is to this transaction the letter alludes. EDIT.

than he possesses to defend. For the mere benefit of the law, I presume, the prisoners will hardly thank him. It is a benefit they are entitled to, and will certainly have whether he and his office interfere or not. If he means any thing more, let him look to his words. But I hold it to be highly unconstitutional as well as illegal, to promise official support and protection to either party in a criminal case wherein the king prosecutes for the loss of his subject. There is a degree of folly in a minister of the crown signing such a letter which looks like infatuation; but I hope the court of King's Bench, or some other court, will let him know what the law calls *abetment* and *maintenance*, and bring him to *his senses*.

Yours,

FIAT JUSTITIA!

LETTER XXV.

For the Public Advertiser.

1 *July*, 1768.

TO MASTER HARRY IN BLACK-BOY-ALLEY.

——*At tu, simul obligasti*
Perfidum votis caput, enigrescis
Atrior multo.——

THE moment I heard you had given a positive promise to Lord Rockingham in my

favour, I did you the justice to be satisfied that all my hopes and pretensions to succeed Mrs. —— were at an end. But a second promise, which I understand you have lately given to another, revives my spirits, and makes me flatter myself that you mean me no harm. I have one chance less against me than I had, for your last resolution is certainly the one you will not abide by; so that at present there is nothing in my way but your engagement to Lord Rockingham, the bad effects of which I shall endeavour to remove by this letter. I feel as strongly as you how much it would violate the consistency of your character to keep your word from any motive of probity or good faith; but if I can suggest to you the means of performing your first promise to Lord Rockingham, and yet continuing as great a rascal as you would wish to be, all objections on the score of integrity will be removed, and you will owe me no small obligation into the bargain. You are a mere boy, Harry, notwithstanding the down upon your chin, and would do well to cultivate the friendship of women of experience. With all due submission to Miss Nancy's * personal knowledge of the world, I believe she has not yet taught you the secret of keeping your

* Nancy Parsons. EDIT.

word without hurting your principles. This is a science worthy of a superior genius; and without a compliment, Harry, you have talents to improve it into a system of treachery, which, though it may shorten your natural life, will make your reputation immortal.

In the first place, I presume, you will have no difficulty in breaking your word with Mrs. C——y; the whole distress lies in keeping it with your friend the marquis. My advice is, therefore, that you should order Mr. Bradshaw to write to his lordship, and assure him in the civilest terms, that "circumstances which you had not foreseen;—that it was with infinite concern;—that his lordship's recommendation had such weight with you;—that in any other instance;—that you flattered yourself his lordship would be candid enough to distinguish between the minister and the man;—but that in short you were so unfortunately situated, &c. &c. &c." Mr. Bradshaw's manner will make the message palatable, and it would not be amiss if he were to carry it himself. Having disengaged yourself from Lord Rockingham, you must at the same instant write me a letter of congratulation, and desire me to take possession immediately. By these expedients you will preserve all the duplicity and wayward humour of your character;—you will have the

merit and satisfaction of failing to two people; you will confer a favour without obliging any body; and your enemies give you credit for a conduct equally honourable to your morals and your understanding.

Farewell, Harry, and believe me to be, with the most perfect contempt, yours,

POMONA.

P. S. If the place is to be given in trust for Miss Parsons, I beg leave to withdraw my pretensions; for I am determined not to suffer a woman to be quartered upon me in any shape.

LETTER XXVI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 19 *July*, 1768.

THE spirit which once animated the London Gazette seems to have expired with the war. The learned compiler of that paper was blest with a genius equal to the description of battles and victories, but could not descend with dignity to the pacific annals of domestic economy. While our troops were sacrificed abroad, his pen was employed, with equal bravery, in murdering our language at home. He never lost a consonant from the

Elbe to the Weser, or mollified one circumstance in all the guttural pomp of a German campaign. But, unfortunately for the world, his style perished with his subject, and we see him now hardly able to support the fatigue of advertising court-mourning, and introducing foreign ministers under the auspices of Mr. Stephen Cotterel. The gentle slumbers of the ministry prevail over the Gazette in which their dreams are recorded; and if ever we see the author betray a sign of life, it is only when his principles turn in their sleep. I presume we owe the Gazette of last Tuesday* to an *insom-*

* The following is a copy of the article alluded to:

"*Whitehall*, 12 *July*.

"The king has been pleased to constitute and appoint the lord high chancellor; the first commissioner of his Majesty's treasury; the lord president of the council; the first commissioner of the admiralty; his Majesty's principal secretaries of state; the chancellor of his Majesty's exchequer; the lord bishop of London; and the surveyor and auditor-general of all his Majesty's revenues in America, for the time being; together with Soame Jenyns, Edward Eliot, George Rice, John Roberts, Jeremiah Dyson, William Fitzherbert, and Thomas Robinson, Esqs. to be commissioners for promoting trade, and for inspecting and improving his Majesty's plantations in America, and elsewhere. And his Majesty has thought fit to direct that Wills, Earl of Hillsborough, one of his said principal secretaries of state, shall duly attend the meetings of his said commissioners." EDIT.

nium with which these gentlemen are sometimes troubled. The new commission of trade bears all the marks of that drowsy wildness which possesses a man, when he would fain go to sleep, but is so sore all over that he does not know which side to lie upon. One day we have a third secretary of state for a new fancy. Next day down goes poor Lord Clare (not all the softness of his manners nor modest eloquence can save him) and up gets the new secretary to represent them both. Hence we might have expected a pause of a few minutes, but these gentlemen are too modest to be satisfied with any thing they do; and now for measures of vigour with a vengeance! The chief officers of the crown, having little else to do, are called from their respective departments; the prayers of a reverend prelate are desired; Messieurs Rice, Jennings, Fitzherbert, Elliot, and Robinson still contribute their mites, and Wills Earl of Hillsborough is *duly to attend the meetings.* The colonies must be ungovernable indeed if such a junto cannot govern them. In the last article the writer of the Gazette is particularly fortunate, and avails himself with his usual dexterity, of all the advantage of publishing nonsense by authority. This *due attendance* will mean any thing or nothing just as the reader chuses. By the mark set upon

Wills, it should seem that the other commissioners are *not* duly to attend the meetings; or perhaps government, with a laudable caution, means to guard against any *undue attendance* of the said Wills; they may possibly mean that Wills alone shall be a quorum; or it may be——but to guess at their meaning is to reason without data, so I leave it, as they have done, to be explained by contingencies.

After all, Mr. Printer, these are feverish symptoms, and look as if the disorder were coming to a crisis. Even this last effort is the forerunner of their speedy dissolution; like the false strength of a delirium, which exerts itself by fits, and dies in convulsions.

C *.

LETTER XXVII.

TO MR. WOODFALL.

SIR, 21 *July*, 1768.

I COULD not help smiling at your correspondent C.'s dreaming animadversion, in your paper of yesterday, upon the commission of the board of trade. He *modestly* fancies himself awake, while all the ministry are inveloped

* To this letter was given a short answer, which, as it produced a reply from JUNIUS, is here inserted. EDIT.

in darkness and dreams, and, according to him, only stir to stir no more. Thus drunkards imagine that every body reels, and that the world itself is in disorder.

He owns that his assertions are the result of guess, and that his reasonings are without the necessary data. He might have spared himself that trouble; every body will tell him the same. Vastly displeased with the compiler of the Gazette, he drops him to abuse his principals; and because they do not or chuse not to furnish his empty brain with chat for a day, or with battles, sieges, and victories in time of peace, they are therefore doing nothing, or at best are but dreaming like——*himself.* As he most sagaciously begins without his data, so he proceeds (as Mr. Locke says) by *seeing a little*, perhaps like a man half awake, *presuming a great deal, and then jumping to a conclusion.* This, it is owned, he has admirably well done. He reads in the Gazette, that several of the chief officers of the crown, the bishop of London, and some others, are appointed together with Messieurs Jenyns, Rice, Elliot, Fitzherbert, and Robinson (whom he very decently and illiberally styles a *junto*) to be commissioners for trade and plantations, and that the Earl of Hillsborough is duly to attend their meetings. This throws our gentle-

man into a trance (convincing the world that his ignorance and *insomnia* are well blended) and, fraught with this intelligence, he avers that all these respectable personages are *new commissioners;* whereas, in fact, from the original constitution of the board of trade, they have a right to sit there in virtue of their respective offices, though not obliged as Messrs. Jenyns, &c. to *a due and constant attendance.* In every new commission of the board of trade these officers for the time being are inserted at length; and at the same time, on account of their other public avocations, they are therein released from the obligation of continually sitting at that board. As the business of the colonies has of late years much increased, it was judged necessary by the crown to appoint one other principal secretary of state for the transaction of colony affairs, which are daily increasing in their importance to this kingdom; and, perhaps, the noble lord, who is chosen to this direction, and whose masterly abilities are the object of your correspondent's invidious scurrility, is the only man of rank adequate to this arduous task in the present crisis. His lordship is also to preside at the board of trade, for the facility and dispatch of business, and will thereby save the government (as he has no salary) the expence of a first commissioner.

He is *duly to attend the meetings* of that board, which cannot, as Mr. C. would *wisely* obtrude upon the public judgment, mean any thing or nothing at pleasure; for when there are no meetings his lordship *cannot attend*, but when there are it is his *duty*. This, every man who is awake can understand; but as for such dreamers as good Master C. I wish they might sleep more soundly till the patriotism they attack is extinguished; and then I believe the world will not be much disturbed with the impertinent visions of such unquiet repose.

INSOMNIS.

LETTER XXVIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

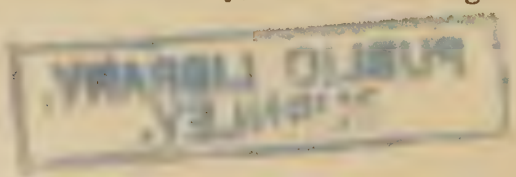
SIR, 23 *July*, 1768.

I AM willing to join issue with your correspondent *Insomnis*, that one of us is fast asleep, and submit to be tried by a jury of plain Englishmen, who may be supposed to understand their own language. If their verdict be given against him, all I desire is that you will not expose his infirmity to the public, or suffer him to say things in his sleep, which his modesty will blush for when he wakes.

PUBLIC LIBRARY, BURNLEY.

In the first place, I never averred that they were all *new commissioners*, though I spoke of a *new commission*. Is it possible for a man to be awake and not distinguish between these expressions? But now for a curious discovery: the great officers of state, it seems, are bound and released by one and the same act; that is, they are bound to the public, and released in private. They figure away as men of business in the Gazette, yet by a secret stipulation are relieved from the trouble of attendance. If *Malagrida* had any interest with the present ministry, I should have no doubt that this was one of his subtle contrivances. An ostensible engagement, with a mental reservation, is the first principle of the *morale relachée* professed and inculcated by the society of Jesus.

Now, Sir, observe how carefully the example is adapted to the doctrine. The state of the colonies evidently demanded some extraordinary measures of wisdom and of vigour. A pompous list of names is held forth to the public, as if the ministry were roused by the importance and difficulty of the present conjuncture, and were determined to face it with their whole strength and abilities. Such was the appearance which the new commission was intended to convey, and in this light I am



very sure it was received by the public: yet *Insomnis* is so candid as to tell us, that the ministry meant no such thing; and I believe him very sincerely. A council is instituted which is never to sit, and commissioners are appointed on condition they shall never attend: a common way of throwing dust into the eyes of the public, and frequently practised with success: but I believe it is rather uncommon for a ministerial advocate to make so early and frank a confession of truths, which, though they may answer other purposes, will do his patrons but little honour in point of credit and veracity.

"*Go to, go to, you have known what you should not.*"

A man who talks in his sleep is not fit for a confidential secretary, at least to a ministry who have so many secrets to conceal.

If the duplicity of this contrivance had concerned themselves alone, I should have been contented with comparing it with the rest of their conduct, and thought no more of it. But I own it fills me with indignation to see the name of a reverend prelate so indecently treated. The respect due to his personal character, if not the sanctity of his station, should have preserved him from so gross an outrage. To see a prelate of the first rank mixed in a low

jesuitical farce of imposing upon the public with a great council, when no such matter is intended!—Seriously, Sir, I should not be surprised if his lordship were to prosecute the writer of the Gazette for a libel. For my own part, Sir, I would rather see my name advertised among a company of buffoons at Bartlemy fair, than prostituted in a ministerial junto, to deceive and to cheat my country. A farce upon the stage may amuse at least, if not instruct, but ministerial farces are too dull to please, and seldom conclude without mischief to the audience.

I admit one proposition gravely advanced by *Insomnis*, "that when there are no meetings Lord Hillsborough cannot attend them;" but I am not quite so clear about the article of expense. The salary of a first commissioner of trade, at three thousand pounds a year, is saved by appointing a third secretary of state at six or seven, besides all the expense of a new office. But *Insomnis* unfortunately forgets that if Mr. Thomas Townsend, contrary to all expectation, had not refused the vice-treasurership (because the offer of it was attended with an insult) there would have been no room to provide for Lord Clare, consequently he must have remained first commissioner of trade, and all this charming plan of economy, facility,

and dispatch, must have waited till another opportunity.

And now, Mr. *Insomnis*, I shall leave you to your repose. Your patrons indeed may turn, and turn, and get no rest; but what occasion is there for your sitting up to watch them?

"*Thou, quiet soul, sleep thou a quiet sleep.*"

Above all things let me recommend it to you, never to pretend to be awake for the future. Your eyes and ears, perhaps, are open, but their sense is shut, and really it is not very polite of you to come into company in your night-cap.

C.

LETTER XXIX.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 30 *July*, 1768.

It is not many months since* you gave me an opportunity of demonstrating to the nation, as far as rational inference and probability could extend, that the hopes which some men seemed to entertain, or to profess at least, with regard to America, were without a

* See Miscellaneous Letter, No. x. Dec. 19, 1767. EDIT.

shadow of foundation.* They seemed to flatter themselves that the contest with the colonies, like a disagreeable question in the House of Commons, might be put off to a long day, and provided they could get rid of it for the present, they thought it beneath them to consult either their own reputation or the true interests of their country. But whatever were their views or expectations, whether it was the mere enmity of party, or the real persuasion that they had but a little time to live in office*, every circumstance which I then foretold is confirmed by experience. The conduct of the king's servants in relation to America since the alteration in 1765, never had a reasonable argument to defend it, and the chapter of accidents which they implicitly relied on, has not produced a single casualty in their favour. At a crisis like this, Sir, I shall not be very solicitous about those idle forms of respect, which men in office think due to their characters and station; neither will I descend to a language beneath the importance of the subject I write on. When the fate of Great Britain is thrown upon the hazard of a die, by a weak, distracted, worthless ministry, an honest man will always express

* The Rockingham administration, which lasted from July 10, 1765, to July 30, 1766. EDIT.

all the indignation he feels. This is not a moment for preserving forms, and the ministry must know that the language of reproach and contempt is now the universal language of the nation.

We find ourselves at last reduced to the dreadful alternative of either making war upon our colonies, or of suffering them to erect themselves into independant states. It is not that I hesitate now upon the choice we are to make. Every thing must be hazarded. But what infamy, what punishment do those men deserve, whose folly or whose treachery hath reduced us to this state, in which we can neither give up the cause without a certainty of ruin, nor maintain it without such a struggle as must shake the empire? If they had the most distant pretence for saying that the present conjuncture has arisen suddenly, that it was not foreseen and could not be provided for, we should only have reason to lament that our affairs were committed to such ignorance and blindness. But when they have had every notice that it was possible to receive, when the proceedings of the colonies have for a considerable time been not less notorious than alarming, what apology have they left? Upon what principle will they now defend themselves? From the first appearance of that rebellious spirit which has spread itself

all over the colonies, the chief members of the present ministry were the declared advocates of America. Every art of palliation, of concealment, and even of justification, was made use of in favour of that country against Great Britain. Some there were who did not even scruple to pledge themselves for the future submission and loyalty of the colonies. Every principle of government was subverted, and such absurdities maintained as common sense should blush for. When all the argument failed, and when the proceedings of the colonies gave the lie to every declaration made for them by their patrons here, still the ministry thought it not too late for further temporizing and delay. Even after the combination at Boston they would not suffer parliament to be informed of the real state of things in that province. They endeavoured to conceal the most atrocious circumstances, and what they could not conceal they justified. Mr. Conway* since last December has, in the face of the House of Commons, defended the resistance of the colonies upon what he called revolution principles; and when a paper, printed at Boston, was offered to the House, as containing matter of the

* Mr. Conway moved the repeal of Mr. Grenville's Stamp Act and introduced the Declaratory Act. EDIT.

highest importance for the information of parliament, the ministry would not suffer it to be read because they knew it would be found too bad to be passed over.

If we look for their motives we shall find them such as weak and interested men usually act upon. They were weak enough to hope that the crisis of Great Britain and America would be reserved for their successors in office, and they were determined to hazard even the ruin of their country, rather than furnish the man* whom they feared and hated with the melancholy triumph of having truly foretold the consequences of their own misconduct. But this, such as it is, the triumph of a heart that bleeds at every vein, they cannot deprive him of. They dreaded the acknowledgment of his superiority over them, and the loss of their own authority and credit, more than the rebellion of near half the empire against the supreme legislature. On this patriotic principle they exerted their utmost efforts to defer the decision of this great national cause till the last possible moment. The timidity, weakness, and distraction of government at home gave spirits, strength, and union to the colonies, and the ministry seemed determined to wait for a declaration of

* George Grenville. EDIT.

war with our natural enemy, before they attempted to suppress the rebellion of our natural subjects. At last, however, they are compelled to take a resolution which ought to have been taken many months ago, and might then have been pursued with honour to themselves, and safety to this country. How they will support it is uncertain. A resolution, adopted by a small majority in a divided council, can be but little depended on. It must want the first strength of union, and what effect can we hope for even from a vigorous measure, when the execution of it is committed, most probably, to one of the persons who have professed themselves the patrons of lenient moderate measures, until the very name of lenity and moderation became ridiculous? They will execute by halves; they will temporize and look out for expedients; they will increase the mischief; they will defer the stroke until we are actually involved in a war with France; and when they have made the game desperate, they will resign their places, to save themselves, if possible, from the resentment of their country.

In this situation I am rather afflicted than surprised at the shock which public credit has just received. The weight of the funds is of itself sufficient to press them down. How then should it be possible for them to stand against

evils which separately might overturn the most flourishing state, and which are fatally at this moment united against Great Britain. The rebellion of her subjects; the too probable apprehension of a foreign war; and a weak distracted administration at home. Yet, Sir, I hope there is still blood enough in our veins to make a noble stand even against these complicated mischiefs. Far from despairing of the republic, I know we have great resources left, if they are not lost or betrayed. A firm united administration with the uniform direction of one man of wisdom and spirit, may yet preserve the state. It is impossible to conceal from ourselves, that we are at this moment on the brink of a dreadful precipice; the question is, whether we shall still submit to be guided by the hand which hath driven us to it, or whether we shall follow the patriot voice which has not ceased to warn us of our dangers, and which would still declare the way to safety and to honour*.

* Mr. G. Grenville's. See this subject further continued in Miscellaneous Letter, No. XXXI. EDIT.

LETTER XXX.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *5 August*, 1768.

An unmerited outrage offered to a great or good man naturally excites some emotions of resentment even in hearts that have the least esteem for virtue. At particular moments the worst of men forget their principles, and pay to superior worth an involuntary tribute of sympathy or applause. We ought to think well of human nature when we see how frequently the most profligate minds are generous without reflection. But if a case should happen, wherein a character not merely of private virtue but of public merit receives an insult equally indecent and ungrateful, this common concern is increased by that share of interest which every man claims to himself in the public welfare. A government shameless or ill-advised enough to treat with disregard the obligation due to public services, not only sets a most pernicious example to its subjects, but does a flagrant injury to society, which every member of it ought to resent. Reflections such as these crowded upon my mind the moment that I heard that the late commander in chief in America had been dis-

missed without ceremony from his government of Virginia. I was grieved to see such a man so treated, but when I considered this step as an omen of the real resolution of the ministry with respect to America, I forgot, as he himself will do, the private injury, and lamented nothing but the public misfortune. At a time when the most backward of the king's servants have been compelled to acknowledge the necessity of vigorous measures, when these measures are held out to the nation with a declaratory assurance that *now at last we are determined*, the resolution to deprive Sir Jeffery Amherst of his post in America cannot but be received as a direct contradiction to all those professions. If they had sincerely meant to do their duty to their country; if they had really adopted measures of vigour, and wished to carry them into execution, instead of depriving him of his post, they would have solicited him to return to America, and take upon him the conduct of those measures. His prudence and moderation are as well known as his spirit and firmness, and who will dare to say that he would have refused an employment which the service of his king and country called upon him to accept? He went to America in circumstances as little favourable as the present; he met an enemy at all times formidable, and at that junc-

ture strengthened by success. He conquered that enemy, and united the dominion of the whole continent to Great Britain. In every light he was the man to have been chosen; if the ministry had really meant to execute their own resolution with vigour. But if it be their design to surrender every point to America, they could not have acted more consistently with such a plan, than by dismissing Sir Jeffery Amherst from his post, and appointing Lord Boutetort to succeed him. No collusive bargain could have been made with the former, nor any base unworthy compliances expected from him. He had honour, as much as any man, to lose, nor even felt the necessity of repairing a broken for une. Had he been entrusted with a command upon this important occasion, he would have executed the declared, not the secret, purpose of the administration. With such a character it is easy to see how unfit he was to be trusted with the conduct of measures destined to perish at their birth. But although he might not be entitled to the confidence of the king's servants, in what instance has he deserved such ungrateful treatment? Could they find no other man to mark out to the public as an object of slight and disrespect? Could the wantonness of their power find no other way of providing for a needy dependant?

Surely, Sir, the choice was at least injudicious. Lord Hillsborough might have found some more honourable method of distinguishing his entrance into administration; nor do I think it a very favourable omen to Lord Boutetort, that his patrons have fixed upon Virginia as a retreat for his distresses. Seven years are too many to spare out of a life of sixty, to say nothing of the rarity of a man's returning from that country and surviving the next sessions.

L. L.

LETTER XXXI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 6 *August*, 1768.

WHETHER it be matter of honour or reproach, it is at least a singular circumstance, that whoever is hardy enough to maintain the cause of Great Britain against subjects who disown her authority, or to raise his voice in defence of the laws and constitution, is immediately pointed out to the public for Mr. Grenville's friend. From such language one would think that the order of things was inverted, and that conspiracy had changed its nature. Mr. Grenville and his friends it seems are suspected of

some dangerous designs, not to destroy but to preserve the laws and constitution of their country. This is certainly a reproach of the latest invention. I know there are men whose characters are safe against suspicions of this sort, and who form their friendships upon other more useful maxims. But whether it be owing to the weakness of his understanding or to the simplicity of his heart, that he pursues a conduct so useless to himself and so suspicious to the administration, it is surely a pardonable error, and what an Englishman may yet forgive. It is true he professes doctrines which would be treason in America, but, in England at least, he has the laws of his side, and if it be a crime to support the supremacy of the British legislature, the sovereign, the lords and commons are as guilty as he is. The ministry indeed have no share in the charge, and it would be uncandid not to confess that their regard for the honour and interest of this country is upon the same level with their friendship for Mr. Grenville.

For my own part, whatever your correspondents *Moderator* and *Tandem* may think of me, I shall content myself with some interior feelings which I fancy they are not much acquainted with; nor will I perplex them with a language they are incapable of understanding.

Whether I am determined by motives which an honest man might profess, or by such as those gentlemen usually act upon, is a point that will not admit of demonstration. I shall therefore leave their principles out of the question, and try what their arguments amount to.

Moderator and I are, for the most part, agreed. He allows "that government is sunk into a contemptible state; that their measures have failed of success, and is convinced that if the reverse had been practised, the mischief had been avoided." What conclusion his understanding will draw from these premises, I do not know; but I think the most violent enemy of the present administration could not have argued more strongly for a change of hands and a change of measures.

The author of the second letter finding nothing that will answer his purpose in the present state of things, is obliged to carry us back to the original question of the right and expediency of taxing America. I shall not enter into the question of right, because it has been already determined by the legislature, to which an Englishman still owes some degree of submission. For the matter of expediency, an advocate for the present ministry seems to me to arraign his patrons when he argues against it. One part of them uniformly concurred with Mr. Gren-

ville in forming the stamp act, and in opposing the repeal of it. The other, to serve the purposes of party, repealed that act, yet shewed by their conduct that they approved of the equitable principle on which it was founded, that America should contribute a little to the support of the public expense. The repeal of the stamp act has been followed by other acts more offensive to the colonies, more directly exerting the right of taxation, and which will hardly be executed without some extraordinary efforts on the part of government. Was the act for suspending the assembly of New York recommended by Mr. Grenville? Or was it he who advised the duties on paper, glass, &c. imported into the colonies? No, Sir, his successors have paid him the highest compliment by imitating the system which they had affected to condemn; and in fact they have carried his principles farther than he did, or probably than he would have carried them. But it is the natural defect of a weak divided administration, that they can neither resolve with moderation nor execute with firmness.

As to the questions which your last correspondent puts to me, with a sort of heat and petulance not very decent, one plain answer will, I believe, be sufficient. If the pretensions of the colonies had not been abetted by some-

thing worse than a faction here, the stamp act would have executed itself. Every clause of it was so full and explicit that it wanted no farther instruction; nor was it of that nature that required a military hand to carry it into execution. For the truth of this answer I am ready to appeal even to the Americans themselves. As to the merit of having foreseen the unavoidable consequences of an inconsistent irresolute system of measures, I shall place it as low as your correspondent can desire. Even he might have foreseen what has happened without waiting for the event. But to foretel those consequences;—to speak truth to the nation;—to warn even an adversary of his danger; to persevere in this upright manly conduct, is indeed a merit of another sort, and reserved for other virtues*.

* The following letter from Mr. G. Grenville to Mr. Knox, formerly under secretary of state to Lord Hillsborough, is extracted from the second volume of a small work published by Mr. Knox, entitled "Extra Official State Papers," and is here copied to give the reader an idea of the political sentiments entertained by Mr. Grenville with respect to America, as developed by himself in his private correspondence with this gentleman.

DEAR SIR, *Woolton*, 28 *August*, 1768.

THE account which you gave to me in your letter of the 23d of this month, of the late transactions at Boston,

Your correspondent confesses that Mr. Grenville is still respectable; yet he warns the friends

seems so natural a consequence of the measures taken in Great Britain, and the state and temper of the government here, that whatever degree of concern it may give me, I cannot feel the least surprize at it. If the eyes of those who are most interested in this most unhappy situation had been sooner opened to the most obvious truths, many mischiefs might have been prevented; if the authentic proofs which they have now received of what has happened, is not sufficient to convince them, I will venture to foretel without a spirit of prophecy, *greater calamities will, when it is too late, rouse them and the whole kingdom from the lethargy, as to all public measures, into which they have been plunged. I have long feared that the conduct holden in Great Britain would encourage and delude the subjects of America, till they would come to extremities of one kind, which would too probably end in extremities on the other side.* I may appeal to you as a private man, and as a member of parliament, to my public declarations, that my opinions upon this subject have ever been uniformly the same. They will still continue to be so, until I see much better reasons for changing them, than any which I have yet heard. What prospect there can now be that they will be attended with success, I cannot pretend to answer; but if there is no plan formed upon the sound principles of this constitution, supported both by firmness and temper, I can answer, that no good success in the present difficult situation, can arise from one desultory measure after another. The respect and affection of its subjects is the basis on which every wise government must be founded; but if that foundation has been once overturned, it is not the work of a day to temper the materials, so as to unite and rebuild them, especially if the workmen shall be daily

of that gentleman not to provoke him, lest he should tell them what they may not like to hear. These are but words. He means as little when he threatens as when he condescends to applaud. Let us meet upon the fair ground of truth, and if he finds one vulnerable part in Mr. Grenville's character, let him fix his poisoned arrow there.

LETTER XXXII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 10 *August*, 1768.

Your new correspondent *Virginius* might have saved himself the trouble of dating his letter from the Carolina coffee-house. We are a little better acquainted than he imagines with the style of the secretary of state's office, as well as with the facts respecting Sir Jeffery Amherst's dismission. When he calls Lord Boutetort the best of men, I suppose he means the best of courtiers. If bowing low and carrying the sword of state constitute merit and

changed, and each work by a different rule and line from that of his predecessor.'

I am, &c.

GEO. GRENVILLE.

services, I confess there are few men to whom government is more indebted than to his lordship. As to those insinuations which *Virginius* calls malevolent, it would have answered his purpose a little better if he could have proved them false. Why does he not? Because they are not only true, but notoriously true. What say you to the copper mines, *Virginius?* I fancy his lordship would not have been so fond of residing in Virginia, if he could have continued to reside here either with safety or convenience. Reflections on characters merely private ought I own to be discouraged. But let it be remembered that this courtier might have lived and died in obscurity if he had not forced himself into the public notice, by robbing another man of an appointment, expressly given him in reward for the most honourable national services. The discontent of the province of Virginia at being governed by a lieutenant-governor instead of a governor is a mere fiction trumped up by Lord Hillsborough and his secretary to serve this dirty purpose; it was never heard of before, and if Sir Jeffery Amherst was really desired to repair to his government, it was not only a most scandalous breach of conditions with him, but a most impudent mockery. Lord Hillsborough knew it was impossible he could return to America to

be under the command of General Gage, and that therefore he might put the alternative to him with safety. By this farce Lord Hillsborough thought he could throw a colour upon the matter, and that the nation would be misled by it. What a poor contemptible artifice! Thus it usually happens with bunglers. They cannot even be mischievous with dexterity, nor do a public injury without insulting the public understanding.

LUCIUS.

LETTER XXXIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 19 *August*, 1768.

THE greatest part of my property having been invested in the funds, I could not help paying some attention to rumours or events, by which my fortune may be affected: yet I never lay in wait to take advantage of a sudden fluctuation, much less would I make myself a bubble to bulls and bears, or a dupe to the pernicious arts practised in the alley. I thought a prudent man, who had any thing to lose, and really meant to do the best for himself and his family, ought to consider of the state of things at large, of the prospect

before him, and the probability of particular events. A letter which appeared some days ago in the Public Advertiser, revived many serious reflections of this sort in my mind, because it seemed to be written with candour and judgment. The effect of those reflections was, that I did not hesitate to alter the situation of my property. I owe my thanks to that writer that I am safely *landed* from a troubled ocean of fear and anxiety, on which I think I never will venture my fortune and my happiness again. Perhaps it may not be useless to individuals to see the motives on which I have acted.

In the first place, I consider this country as in a situation the like of which it never experienced before, but which the greatest empires have experienced in their turn. The successes of the late war had placed us at the highest pinnacle of military glory. Every external circumstance seemed to contribute to our prosperity; the most formidable of our enemies were reduced, and commerce had promised to increase with the extent of our dominion. But at this point I fear we met with our *ne plus ultra*. The greatness of a kingdom cannot long be stationary. That of Great Britain carried in itself an interior principle of weakness and decay. While the war continued, our superiority at sea gave us an exclu-

sive commerce with the richest quarters of the world, and supplied us with wealth to support such efforts as no nation ever made before. But when the conclusion of peace had restored our rivals to the enjoyment of their former trade, the very efforts which had maintained the war, rendered it impossible for us to meet those rivals upon equal terms in foreign markets. The national debt had risen to a point so far beyond the reach of economical speculations, that the diminution of the principal almost ceased to be a question, and the ministry found difficulty enough in providing funds for payment of the interest. Here then we find an interior principle of decay, the operation of which is not less certain than fatal. The increase of your debt requires a proportionate increase of trade, at the same time that it not only prevents that increase, but operates in the contrary direction. A newspaper will not admit of such a deduction, or I would undertake to demonstrate, that all the profitable part of our foreign trade is lost, and that in what remains the balance is considerably against us. But the fact is notorious. The situation of our East-India trade is so far altered for the better, that we do not send such quantities of bullion as heretofore to China, and indeed we have it not to send. Yet the resources of this trade

are at the best but precarious: nor is the balance of it even now clearly in our favour. A single defeat in India (an event not quite out of the limits of possibility) would go near to annihilate the company. But it was in the colonies that our best and surest hopes were founded. Their exclusive commerce would have supported our home manufactures, when other markets failed, and rewarded us in some measure for that security and extent of dominion which the blood and treasure of this country had purchased for them. Here too our most reasonable expectations are disappointed. Not only the merchant who gives credit on the security of personal good faith is ruined by it, but, in a public view, the sum of the debts of individuals is held out *in terrorem* to awe us into a compliance with pretensions which shake the foundation of our political existence. We shall be woefully deceived if we form our calculations of the real state of trade, on the large commissions, long credit, or extensive enterprizes of particular merchants. The commercial prosperity of a nation depends upon the certainty of the return, not on the magnitude of the venture. As things are now managed in the city, the greatest house falls first, and draws with it the ruin of a multitude of little ones. Next to the parties immediately

concerned, the public creditors will be the first to feel the consequences of this ruinous system. The funds allotted for their security, depend chiefly upon the produce of the customs; these depend upon your trade, and it requires no prophet to foretell, that a false and ruinous system of trade cannot long be maintained. It begins with private beggary, and ends in public ruin. I do not pretend to say that the landholder will be quite at his ease, when public credit is shaken. But his at least is a solid security; the other a mere bubble, which the first rude breath of ill-fortune or of danger may reduce to nothing.

I wish it could be proved, that any one circumstance in this representation is false or exaggerated. On the other hand, if it be true, the concealment, of a moment more or less, signifies nothing. It is agreed on all hands, that we are in no condition to meet a war. Our enemies know and presume upon it. The experience of many centuries sufficiently proves, that their natural restlessness will not long permit them to observe the conditions of any peace. At present they have other additional motives to draw them into action. The articles of the last peace dishonoured them in the eyes of Europe. Necessity alone compelled them to submit to it. As long as the necessity subsists, the peace will be maintained. In the mean

time, they hazard such strokes as would be a just foundation of a war, if we had strength or spirits to renew it. Dunkirk remains undemolished, and Corsica* is added to the dominion of France. They know the miserable state of our finances, the distraction and weakness of our government, and above all, the alarming differences which threaten a rupture with our colonies. To suppose that they will not take advantage of these circumstances, is supposing that a few years have changed the stamina of a French constitution. On the other hand, to say that they are as little in a condition to make war as ourselves is mere trifling. Their enterprizes prove the contrary. Their finances are upon a much better footing than ours, and at the worst, they have a remedy, which a British parliament will never make use of, but in the last extremity. The French apply it without scruple, and, as far as I can observe, without any bad effect to themselves. In short, they consider our weakness more than their own strength, in adherence to their old policy, *que la foiblesse de l'ennemi fait notre propre force.*

A prudent man, whose property is in the

* See JUNIUS, letters III. and XII. in which the subject is again mentioned by the author and explained in the notes. EDIT.

funds, would do well to consider the truth of this representation. What security has he, when the slightest rumour of bad news from America robs him of four or five per cent upon his capital, when worse news from that quarter is expected every hour, and when the expectation of a foreign war is founded on facts and reasoning strong enough to constitute the clearest moral certainty? To say that public credit has hitherto passed safely through the fiery trial of war and rebellion, proves nothing. No conclusion can be drawn from a debt of forty-six millions, at which it stood in 1740, to the present debt of one hundred and forty millions. At that time our resources were hardly known, at this period they are known and exhausted. We are arrived at that point when new taxes either produce nothing, or defeat the old ones, and when new duties only operate as a prohibition: yet these are the times, Sir, when every ignorant boy thinks himself fit to be a minister*. Instead of attendance to objects of national importance, our worthy governors are contented to divide their time between private pleasures and ministerial intrigues. Their activity is just equal to the persecution of a prisoner in the

* The Duke of Grafton was first lord of the treasury at this period. EDIT.

king's bench*, and to the honourable struggle of providing for their dependants. If there be a good man in the king's service they dismiss him of course; and when bad news arrives, instead of uniting to consider of a remedy, their time is spent in accusing and reviling one another. Thus the debate concludes in some half misbegotten measure, which is left to execute itself. Away they go:—one retires to his country-house; another is engaged at a horse-race; a third has an appointment with a prostitute;—and as to their country, they leave her, like a cast off mistress, to perish under the diseases they have given her.

ATTICUS.

LETTER XXXIV.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 23 *August*, 1768.

AMIDST the general indignation which has been excited by the marked affront lately put upon Sir Jeffery Amherst, it is odd to find people puzzling themselves about the motives which have actuated administration in this extraordinary procedure. Nothing is more short

* Wilkes. EDIT.

and easy than the solution of this affected difficulty. They were *ordered* to act in this manner.

The public knows, and *can* know no other reason. The ministry know, and *desire* to know no other reason. They have not the slightest quarrel with Sir Jeffrey Amherst. They have not the most trivial regard for Lord Boutetort. Some of them are known even to hate his lordship; the rest are scarcely acquainted with him; but they have received the *order*, and that is enough for *them*. Their whole political system is wrapped up in one short maxim—

> "My *author* and *disposer!* what thou bid'st
> *Unargued* I obey!"

In this lesson they are perfect to a miracle; and the signal proof they have just given of their daring and determined servility, shews them altogether worthy of that confidence which the favourite so wisely reposed in them (during his pleasure) the depositaries of his intentions, and the trustees of his power.

But although it be in vain to seek for any higher principle than blind obedience in the *formal and executive* members of the ministry, it is worth while to examine a little more mi-

nutely the motives which might actuate in this affair the secret but *deliberate and guiding* part of administration.

Can we believe from the monstrousness, or can we doubt from the notoriety of the fact, that the *political principles* held by the present governor of Virginia, during the greatest part of his life, and avowed, almost without a mask, could be his sole recommendation to that employment? Can we believe that these *principles* constitute such a transcendent degree of merit, as makes it necessary to reward its possessor at the expense of the national honour, gratitude, and safety? Such merit must be served in any way, and at any price. A *peerage*, which every one knows could not be had without the royal countenance, was not sufficient. It was too little that he was put into an honourable employment near the *person* of his sovereign. After an unsuccessful attempt to reward him further by a violation of our laws in an *illegal patent*, he is now to be provided for by the ruin of our affairs in a critical and important government.

As a part of this system, and in order to give it a due roundness and relief, it was thought proper not only to affront living merit, but to insult and trample upon the sacred ashes of the dead. It was not forgot under whose pa-

tronage Sir Jeffery Amherst first appeared in the world. It was not forgot that he was one of the many public benefits derived to this country from that great school of military knowledge and loyal sentiments, the family of the late Duke of Cumberland. Here was a glorious opportunity of cherishing a true friend to despotism, and at the same time of insulting the memory of him who had been the heavy scourge, and (it was once hoped) the final destroyer of that cause. This opportunity was not lost.

To return: I have said that the justly obnoxious principles at which I have hinted, constitute, or *seem* at least to constitute the *sole* merit of the new governor. If the friends of the ministry can discover any other, they would be very kind to mention them. The public looks upon this transaction in a very serious light. Nothing but the strongest conviction that the very salvation of America depends upon the abilities of Lord Boutetort, can reconcile them to the affront which has been put upon Sir Jeffery Amherst.

They derive no consolation from being told that this meritorious commander had received a previous intimation to repair to his government, with which he shewed himself unwilling to comply. They are as dissatisfied as ever; first, because the fact itself, standing upon no

higher authority than ministerial assertion, will be disputed. Falsehood is a servile vice; and to the imputation of that vice people in a slavish condition, whether low or high (for servitude, as well as hell, has its ranks and dignities), will always be subject; especially if ministers are known to have found the dexterous art of splitting themselves, and possessing one character in which to promise, and another in which to act *.

But with all the advantage of their supple habits and of their double characters; will they venture to assert, that the arrangement in favour of Lord Boutetort was not determined upon *before* they had consulted Sir Jeffery Amherst concerning a residence in Virginia? In the next place, did they not know that his residence in the character of governor in America, where he had before commanded in chief, was a thing incompatible with all the ideas entertained by military men concerning rank and precedence? And if so, was not the order for residence given (if it was given) that it might be disobeyed? Is it not an heavy aggravation, instead of the least excuse for their offence?

Lastly, the public would be glad to know

* See Miscellaneous Letters, No. XXI. EDIT.

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how it comes that this grand ministerial reformation was taken up in this single instance; it made no part of a general arrangement. If it were done in consideration of the colonies, let me ask, whether the people of Virginia have lately complained of the absence of their governor, under which they have acquiesced upwards of fifty years? If it was done on the part of Great Britain, again let me enquire whether the lieutenant-governors, who have acted during those fifty years, have wanted authority, knowledge, or capacity? If they did, in what manner is the defect supplied by the new appointment? Is the new governor invested with any larger powers than the late lieutenant-governors? Or is he endued with a greater degree of experience, knowledge, or sagacity for the exercise of those powers? No, no; the manner of filling the vacancy made by the removal of Sir Jeffery Amherst sets in the broad glare of day-light the true reasons for making it; it was not done to reform a public abuse, but to accommodate a private job; it was not *Virginia* that wanted a governor, but a court favourite that wanted the salary.

I cannot help observing in the ministerial writings with which the papers have been lately filled, that much scurrilous abuse has been thrown out against the Whig party and Whig

principles. Permit me to congratulate the ministers on this well-chosen topic: the defence is worthy of the cause. They tell us, that all party distinctions ought to be done away, and that men of all kinds ought to have an equal share in public employment. This notion, taken with due corrections, has some sense, but in their application much absurdity. No man would prevent the public from being served by the abilities of any person, because he might have the misfortune in some time of his life to be mistaken in his political opinions or connections. But every Whig thinks it fair, that persons under such circumstances should be obliged to produce some *other* merit besides those *mistakes;* and that they should give some other proofs of their conversion to the principles of our happy establishment, than their necessity or their desire of partaking in the emoluments which it has to bestow.

This surely is the sentiment and language of candour and moderation. This ought to be the inviolable rule where the question is concerning offices of trust, and which require weight and ability for their execution. When the question is concerning the mere graces of the crown, the rule is, to become even more severe; and every lover of the constitution must think it a crime hardly less than treason

in those who shall advise a court to discountenance the families which have promoted the revolution, and at the same time to load with its favours those who (reconciled by profit, not by opinion) have ever been the declared enemies both of the revolution, and of every benefit we derive from that happy event. You may hear again from

Your humble servant,

VALERIUS.

LETTER XXXV.

TO THE EARL OF HILLSBOROUGH.

MY LORD, *29 August*, 1768.

THE honourable lead you have taken in the affairs of America, hath drawn upon you the whole attention of the public. You declared yourself the single minister for that country, and it was very proper you should convince the world you were so, by marking your outset with a *coup d'eclat.* The dismission of Sir Jeffery Amherst has given a perfect establishment to your authority, and I presume you will not think it necessary or useful to hazard strokes of this sort hereafter. It will be adviseable at least to wait until this affair is forgotten,

and if you continue in office till that happens you will surely be long enough a minister to satisfy all your ambition.

The world attributes to your lordship the entire honour of Sir Jeffery Amherst's dismission, because there is no other person in the cabinet, who could be supposed to have a wish or motive to give such advice to the crown. The Duke of Grafton and the chancellor were once Lord Chatham's friends. However their views may now be altered, they must know it would disgrace them in the eyes of the public, to offer an unprovoked outrage to a man whose conduct and execution had contributed not a little to their patron's glory.

The Duke of Bedford and his friends have uniformly held forth Sir Jeffery Amherst as the first military man in this country;—they have quoted him on all occasions, when military knowledge was in question, and even been lavish in his praise. Besides they openly disclaim any share in this measure, and they are believed.

The Earl of Shelburne usually finds himself in opposition, therefore is not too often consulted. In this instance he certainly did not concur with the majority. He still is or pretends to be attached to Lord Chatham, and

I fancy he is not yet so cordially reconciled to the loss of the American department, as to dishonour himself merely to oblige your lordship.

You will not venture to insinuate that Sir Jeffery Amherst was dismissed by the advice of Lord Granby or Sir Edward Hawke. Military men have a sense of honour which your lordship has no notion of. They feel for a gallant officer who had his full share in the toils and honour, and had some right to a share in the profits of the war. They feel for the army and the navy. Lord Granby himself has *some* emoluments besides his power, and Sir Edward Hawke has his pension. Nobly earned I confess, but not better deserved than by the labours which conquered America in America. Besides, my lord, the commander-in-chief is the patron of the army. It was a common cause which he could not desert without infamy and reproach. Lord Granby is not a man to take his tone from any minister. Where his honour is concerned he scorns to adopt an humble ministerial language; he never would say—*that indeed Sir Jeffery Amherst was rather unreasonable—that his terms were exorbitant, that he had still two regiments left; and might well be contented.*—This is a language it is impossible he should hold, while he himself is master-general of the ordnance,

colonel of the blues, and commander-in-chief, with a whole family upon the staff. He knows the value, and could not but be sensible of the loss of those honourable rewards which his distinguished capacity, his care of the public money, and his able conduct in Germany had justly entitled him to.

I think I have now named all the cabinet but the Earl of Chatham.

His infirmities have forced him into a retirement, where I presume he is ready to suffer, with a sullen submission, every insult and disgrace that can be heaped upon a miserable, decrepid, worn out old man. But it is impossible he should be so far active in his own dishonour, as to advise the taking away an employment, given as a reward for the first military success that distinguished his entrance into administration. He is indeed a compound of contradictions, but his letter to Sir Jeffery Amherst stands upon record, and is not to be explained away. You know, my lord, that Mr. Pitt therein assured Sir Jeffery Amherst, that the government of Virginia was given him merely as a reward, and solemnly pledged the royal faith that his residence should never be required. Lost as he is, he would not dare to contradict this letter. If he did, it would be

something more than madness. The disorder must have quitted his head, and fixed itself in his heart.

The business is now reduced to a point, either your lordship advised this measure, or it happened by accident. You must suffer the whole reproach, for you are entitled to all the honour of it. What then is apparently the fact? one of your cringing, bowing, fawning, sword-bearing brother courtiers * ruins himself by an enterprize †, which would have ruined thousands if it had succeeded. It becomes necessary to send him abroad. Sir Jeffery Amherst is one of the mildest and most moderate of men;—ergo, such a man will bear any thing. His government will be a handsome provision for Boutetort, and if he frets—why he may have a pension. Your emissaries lose their labour, when they talk with so much abhorrence of sinecures, non-residence, and the necessity of the king's service. You are conscious, my lord, that these are pompous words without a shadow of meaning. The whole nation is convinced that the fact is such as I have stated it. But to make it a little plainer, I shall ask your lordship a few questions, to which

* Lord Boutetort. † The W——y Company.

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the public will expect, and your reputation, if you have any regard for it, demands, that you should give an immediate and strict answer.

1. When the government of Virginia was offered to Sir Jeffery Amherst, did he not reply, that his military employments took up all his time, and that he could not accept the government if residence were expected?

2. Did not Mr. Pitt, then secretary of state, assure him in the king's name, that it was meant only as a mark of his Majesty's favour, and that this residence would never be expected?

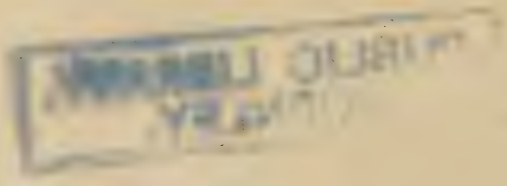
3. Has there ever been any further mark of favour conferred upon this gentleman, for all those important services, which succeeded the conquest of Cape Breton?

But now for questions of a later date.

1. Was not Lord Boutetort's appointment absolutely fixed on or before Sunday the 31st of July?

2. Had Sir Jeffery Amherst the least intimation of the measure before Thursday the 4th of August?

3. Was it not then mentioned to him in general terms, as a measure merely in contemplation, without the most distant hint that Lord Boutetort, or any other person, was actually in possession of his government?



4. Did not Lord Boutetort kiss hands the next day, that is on Friday the 5th of August?

5. Did you not dare to tell your sovereign that Sir Jeffery Amherst was perfectly satisfied, when you knew your treatment of him was such as the vilest peasant could not have submitted to without resentment?

Finally, my lord, is it not a fact, that Sir Jeffery Amherst, having been called upon some time ago to give his opinion upon a measure of the highest importance in America, gave it directly against a favourite scheme of your lordship; and is not this the real cause of all your antipathy to him? Your heart tells you that it is.

Now, my lord, you have voluntarily embarked in a most odious, perhaps it may prove to you a most dangerous, business. Your Pylades will sneak away to his government; but *you* must stand the brunt of it here. For the questions which I have proposed to you, I must tell you plainly, that they *must, and shall* be answered.

You may affect *to take no notice of them*, perhaps, and tell us *you treat them with the contempt they deserve.* Such an expedient may be wise and spirited enough when applied to a declaration of rebellion on the part of the colonies,

and God knows it has succeeded admirably. But it shall not avail you here.

Num negare audes? Quid taces? Convincam si negas.

LUCIUS.

LETTER XXXVI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 30 *August*, 1768.

I SHALL not pretend to enter into the merits of Sir Jeffery Amherst's dismission from his government of Virginia. Every body knows he deserves a great deal of the public: and if what I have heard be true, even the present administration do not refuse it him. But there are a number of busy incendiaries, who use every means to poison the minds of the good people of England, and to abuse those in power whoever they are. These neither inquire into the truth of the matter, nor do they fail to shew the most disagreeable view of every action of the ministry. An impudent varlet Y. Z. in this day's paper, talks of forty or fifty lives lost in St. George's fields. When was it? Others have heaped together a parcel of ill-natured lies, and

given it the name of an account of the dismission of Sir Jeffery Amherst.

The particulars of Sir Jeffery Amherst's dismission, I am told, are as follow: for very urgent reasons it had been determined the governor general of every province in America should reside. Upon which Lord Hillsborough wrote a letter to Sir Jeffery, acquainting him of this resolution. After making very honourable mention of his service in America, how much his country was obliged to him for that activity, steadiness and courage, which so eminently distinguished the commander, and which from his example diffused itself through the whole army, by which means the British arms were crowned with success, and the war so happily concluded in that part of the world; he mentioned the very high opinion his Majesty had of him both as a man and as a soldier, and how much it would be to his satisfaction, was it suitable to Sir Jeffery's inclinations and circumstances, to go to Virginia and take upon him the supreme command in that province: but if it was not convenient, he might depend on it, that his Majesty would take the earliest opportunity of doing justice to his merits, by making him a recompence equivalent at least to the loss of his government.

This letter was scarce finished when Sir Jef-

fery Amherst called at Lord Hillsborough's on some other business. His lordship took that opportunity to explain the intentions of administration by such a measure, gave him the letter, and Sir Jeffery seemed to be convinced of the necessity of the arrangement, acquiesced in the proposals made to him, and went away to all appearance well satisfied.

If it was next or not, I know not, but Sir Jeffery very soon after this demanded an audience of his Majesty, and resigned the command of his regiments.

This not being accepted of, and the ministry willing to keep such a man in the service, and not wishing to give cause for his resignation, endeavoured to reason with him; upon which he (Sir Jeffery Amherst) delivered or sent to the Duke of Grafton the following articles of accommodation.

1. A British peerage to himself, and failing heirs of his body, to descend to his brother the colonel.

2. A recompence equivalent to the loss of his government.

3. An exclusive right of working the coal mines at Louisbourg to him and his heirs for ever.

4. A grant of lands in America to a certain extent.

5. And in case it should be judged expedient to create American peers, that he should have the pre-eminence.

The Duke of Grafton on receiving this, begged to see Sir Jeffery. Who sent him word, if the interview was intended to induce him to lower his demands, it was totally unnecessary. His grace then went to him, and gave him the following answers.

1. British peerages were generally given to such, whose opulent fortunes enables them to support that high dignity. This reason he apprehended Sir Jeffery could not plead.

2. It always had been his Majesty's intentions to make him a recompence equivalent to his government.

3. Reasons political and commercial forbade the working of the American coal mines at all.

4. He might have the grant of lands in America, when, where, and to what extent he pleased; but he did not apprehend there was the least reason to make the fifth demand, as he supposed a creation of American peers would never take place.

Sir Jeffery Amherst's regiments are not given away.

I shall make no comment on this. I tell it as a fact, which I have heard from what people

call good authority. The dismission of an experienced and deserving commander requires some attention; and there can be no harm in making the public acquainted with it. The number of falsehoods that have been spread abroad about this transaction have induced me to send you this.

I must tell you, however, that my information is second hand; but it may have this good effect, even if not true, to induce those who know the contrary to do as I have done. I shall therefore conclude with this question: are these things true or not?

CLEOPHAS.

LETTER XXXVII.

TO THE EARL OF HILLSBOROUGH.

MY LORD, 1 *September*, 1768.

In the ordinary course of life, a regularity of accounts, a precision in points of fact, and a punctual reference to dates, form a strong presumption of integrity. On the other hand, an apparent endeavour to perplex the order and simplicity of facts, to confound dates, and to wander from the main question, are shrewd signs of a rotten cause and of a guilty conscience. Let the public determine between your lordship and

me. You have forfeited all title to respect; but I shall treat you with tenderness and mercy, as I would a criminal at the bar of justice.

In your letter signed Cleophas you are pleased to assume the character of a person half informed. We understand the use of this expedient. You avail yourself of every thing that can be said for you by a third person, without being obliged to abide by the apology, if it should fail you. My lord, this is a paltry art, unworthy of your station, unworthy of every thing but the cause you have undertaken to defend. While you pursue these artifices, it is impossible to know on what principles you really rest your defence. But you may shift your ground as often as you please; you shall gain no advantage by it. Your lordship, under the character of Cleophas, is exactly acquainted with particulars, which could only be known to a few persons, while you totally forget a series of facts known to thousands. You can repeat every article of your own letter to Sir Jeffery Amherst*, though your own memory be too

* This letter was at length published Nov. 2, and is as follows.

Hanover Square, 27 July, 1768.

SIR,

I AM commanded by the king to acquaint you, that his Majesty, upon a consideration of the dispatches lately

weak to recollect on what day Lord Boutetort's appointment was fixed, on what day he kissed hands, and on what day the design was opened

received from Virginia, thinks it necessary for his service, that his governor of that colony should immediately repair to his government; and at the same time, to express to you the high opinion his Majesty has of your ability to serve him in that situation. But it is not the king's intention to press you to go upon that service, unless it shall be perfectly agreeable to your inclination, as well as entirely convenient to you. His Majesty does not forget, that the government of Virginia was conferred upon you as a mark of royal favour, and as a reward for the very great services you have done for the public, so much to your own honour, and so much to the advantage of this kingdom, and therefore his Majesty is very solicitous that you should not mistake his gracious intention on this occasion.

If you chuse to go immediately to your government, it will be extremely satisfactory to his Majesty, if you do not, his Majesty wishes to appoint a new governor, and to continue to you in some other shape, that emolument which was, as I have said before, intended as a mark of the royal sense of your meritorious services; it is a particular pleasure to me to have the honour of expressing to you these very favourable sentiments of our royal master. To add any thing from myself, would be a degree of presumption; I will therefore only request the favour of your answer, as soon as may be convenient, and take the liberty to assure you, that I am,

HILLSBOROUGH.

The following short note was published immediately in reply to it.

to Sir Jeffery Amherst. These, it seems, are circumstances of no importance, and to say the truth, I believe they are such as you would willingly forget. I am glad to find, however, that the acknowledgment of Sir Jeffery Amherst's merit and services could not be more full and formal than as it is stated in your letter to him. Upon that point then we are agreed.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

5 November, 1768.

SIR,

To prevent any impression which may arise to the prejudice of Sir Jeffery Amherst from a letter circulated by the Earl of Hillsborough, and now in print, it is only necessary to observe that it is dated the 27th of July, and that the government of Virginia was given to Lord Boutetort on Sunday the 24th. This being the fact, the humble fawning language of the secretary of state's letter, instead of a compliment, is a real mockery and insult. A true idea of the treatment which Sir J. A. has received, can only be had by observing the order of the facts. The government is given away on Sunday. The secretary of state writes his letter on Wednesday. He and Sir J. A. meet on Thursday. Not the most distant hint is given him that his government is actually disposed of, and Lord Boutetort kissed hands next morning. This, Sir, is the treatment which Sir J. A. considers as an affront not an injury, and which he resents as he ought. If Lord H. had not published his letter, I should not have thought of reviving a question on which the public was before completely satisfied.

A. B,

You say Sir Jeffery Amherst, at your first conversation, seemed satisfied. My lord, I must tell you, that when a secretary of state assures Sir Jeffery Amherst that any particular measure is necessary for the king's service, he is too good a subject to set his private interest in opposition to the public welfare. But did you tell him that his government had been given away four days before? Did you not speak of it as a measure *in futurum*, which was not to take place till he was perfectly satisfied? In short, did you tell him that Lord Boutetort was to kiss hands next morning? Answer these questions like a man, and a gentleman.

When Sir Jeffery Amherst found that all this pretended necessity of the king's service ended in a provision for a ruined courtier, he felt the indignation of a man who has received an *affront*, not an *injury*. Your emissaries affect to say, that he was desired to repair to his government, and upon his refusal was dismissed. This you know was not the fact, so that every reasoning built upon it falls to the ground. You never did nor could propose to him, to return to America in a rank subordinate to General Gage. It never was a question; and indeed how should it, when his government was given away on the 31st of July, and he had not the most distant intimation that such a measure

was thought of, until Thursday the 4th of August. Mark these dates, my lord, for you shall not escape me.

After the affront had been fixed upon him in the grossest manner, he was desired to consider what satisfaction he would accept of. He then sent to the Duke of Grafton the demands, which you have stated to the public. These, and the answers to them, shall now be considered. The word *demand* is peremptory, and unfit to be made use of by a subject in a request to the crown. It *was not* made use of by Sir Jeffery Amherst, though, for the matter of it, I assert without scruple, that a man of distinguished public merit, who has been signally insulted, is not in the case of a suppliant, but has a *right* to a signal reparation.

The Duke of Grafton's idea of the proper object of a British peerage differs very materially from mine. His grace, in the true spirit of business, looks for nothing but an opulent fortune, meaning, I presume, the fortune which can purchase as well as maintain a title. We understand his grace, and know who dictated that article. He has declared the terms on which Jews, gamesters, pedlars, and contractors (if they have sense enough to take the hint) may rise without difficulty into British peers. There was a time indeed, though not within his grace's memory,

when titles were the reward of public virtue; and when the crown did not think its revenue ill employed in contributing to support the honours it had bestowed. It is true his grace's family derive *their* wealth and greatness from a different origin;—from a system which it seems he is determined to revive. His confession is frank at least, and well becomes the candour of a young man. I dare say, that if either his grace or your lordship had had the command of a seven years' war in America, you would have taken care that poverty, however honourable, should not have been an objection to your advancement;——you would not have stood in the predicament of Sir Jeffery Amherst, who is refused a title of honour because he did not create a fortune equal to it at the expense of the public.

For the matter of a recompence equivalent to his goverment, he repeatedly told your lordship that the name of pension was grating to his ears; and that he would accept of no revenue that was not at the same time honorary. Your lordship does not know the difference, but men of honour feel it.

If reasons political and commercial forbid working the coal-mines in America, *that* I allow is an answer *ad hominem*. It may be a true one; yet I do not despair of seeing these very

mines hereafter granted to support the chastity of a minister's whore, the integrity of a pimp, or the uncorrupted blood of a bastard.

His grace is wonderfully bountiful in the article of lands; I doubt not he would with all his heart give Sir Jeffery Amherst the fee-simple of every acre from the Missisippi to California. But we shall be the less surprised at his generosity, when we consider that every private soldier who served a certain time in America was entitled to two hundred acres, and that not one man out of perhaps twenty thousand claimants has yet settled upon his estate.

As to American peerages, if none are to be created, the request falls of course. But if such a creation had been intended, I call upon your lordship to point out a man better entitled to precedence upon that list than Sir Jeffery Amherst.

Your last assertion is that his regiments are not given away. It is a matter of perfect indifference. Yet the public has reason to believe that Colonel Hotham is now colonel of the 15th regiment, and that the commission of commandant of the royal Americans only waits until it shall be determined whether General Gage shall be recalled or not.

Permit me now to refer your lordship to

the questions stated in my last letter, and to desire you to answer them strictly. If you do not, the public will draw its own conclusions.

Your emissaries, my lord, have rather more zeal than discretion. One of them, who calls himself *A considerate Englishman*, could not write by authority, because he is entirely unacquainted with facts. His declamation therefore signifies nothing. In his assertions however there is something really not unpleasant. He assures us that your lordship's great abilities were brought into employment to correct the blunders of Mr. Pitt's administration. It puts me in mind of the consulship which Caligula intended for his horse, and of a project which Buckhorse once entertained of obliging the learned world with a correct edition of the classics.

LUCIUS.

LETTER XXXVIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 6 *September*, 1768.

When a worthless administration do a notorious act of *injustice* to a *good man*, which naturally raises the indignation of the public; they are not satisfied with the *first blow*, but

their emissaries go to work to *blacken* the character which was *fair* before, in order to justify the measures of their *masters*.

In this light I must look upon the performance of your correspondent *Cleophas, jun.* in your paper of to-day.

His assertion, " that the Duke of Grafton assured Sir Jeffery Amherst that General Gage should be recalled, if Sir Jeffery chose to go to his government" is an *absolute falsity;* for (and I speak from *very good authority*) the matter of the *chief* command of the troops never was mentioned, either by the Duke of Grafton or any of his colleagues. Had it been so Lord Hillsborough in *going his rounds* (his *lordship understands me*) would not have failed to have expatiated fully thereon; but the letters of your masterly correspondent *Lucius* have drove his lordship to the *mean* and *paltry* art of employing some of his *nameless dependents* to throw out *insinuations*, which he knows to be *false*, yet judging from the general run of mankind, flatters himself that at least part of them will be believed.

My design being only to set the public right in regard to the assertion of Sir Jeffery Amherst's being offered the chief command of the troops, which, in truth, never happened, I shall take no notice of the other part of your

correspondent's letter; but leave him and his *bungling patrons* to find in the list of the army an officer so fit as Sir Jeffery Amherst to deal with the *refractory colonists*.

L. L.

LETTER XXXIX.

For the Public Advertiser.

7 *Sept.* 1768.

Quid enim est minus, non dico oratoris, sed hominis, quam id objicere adversario, quod ille si verbo negarit, longius progredi non possit qui objecerit? CICERO.

TO THE EARL OF HILLSBOROUGH.

MY LORD,

THE bare assertion of a falsehood requires nothing more than a determined countenance. To maintain a consistent falsehood not only demands a genius of invention, but a faithful memory. In your lordship's letter, signed *Cleophas, jun.* you are pleased to assert that the Duke of Grafton offered to recall General Gage in order that Sir Jeffery Amherst might return to America with the chief command of the king's forces. Now, my lord, I absolutely deny the fact, and as the public will not expect me to prove a negative, I shall leave it to your lordship to produce your evidence, if you have any.

Really, my good lord, your letters upon business are drawn up with very little caution. In one article you tell us that the chief command in America was offered to Sir Jeffery Amherst, and, in the next, that he has been discovered for some time past to entertain a strong partiality for the refractory colonists. If both these facts were true, what an opinion must we conceive of a ministry careless and imprudent enough to intrust a man so biassed with such a command! You see, my lord, to what an unfortunate dilemma you have reduced yourself by a weak inconsistent defence. The rage of writing letters has brought many a wiser minister than your lorship to an untimely end.

You seem determined, my lord, to go through the family of Cleophas. Be it so. If your pedigree extended from Denbigh to St. David's I would not cease to pursue you from father to son, until I had fairly extirpated the whole family.

LUCIUS.

LETTER XL.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *7 September*, 1768.

As I have not the least intention to enter into any dispute with *Lucius*, indulge me

but this once, and give me leave to assure you, it shall be the last on the subject from me; and though this man writes so ungenteelly, that he scarce deserves an answer, yet I could not help thinking this much necessary in justice to a nobleman whom he has most shamefully attacked in consequence of my letter, but whose character is above the reach of malice, and who will be respected when such pests of society are no more.

The account I sent you relative to the resignation of Sir Jeffery Amherst I had heard publicly talked of at table, and in a coffee-house; it was told as no secret; but was said to be from very good authority. I sent it as a piece of intelligence without either adding or diminishing. I made no comment on it as I intended no offence. Facts were stated as they were told, and as no dates were mentioned, I gave none. I left it to the public to form opinions as they pleased; to Sir Jeffery Amherst's friends to contradict it, if they thought proper; and it has served as a bone for curs of opposition to snarl at.

Though I do not mean to enter into any dispute with this fellow, yet I cannot help making a few observations on his letter. That the government of Virginia was given away four days before the intention of administration

was mentioned to Sir Jeffery Amherst, I have good ground to believe it is not fact: and if you, *Lucius*, possessed but one grain of honesty, and if you had no other intention but to communicate useful information to the public, you would have told them so: that it was applied for even as soon as it was whispered that such a measure was to be adopted, upon the supposition that Sir Jeffery Amherst would not chuse to reside, I can believe: that it was promised to Lord Boutetort in case he did not I can likewise believe; and this might have been four, or even fourteen, days, for ought I know, before it was mentioned; but pray where is the harm in all this? I fancy no measure of government is entered into immediately on its being mentioned; it requires some time to digest. And when it was judged expedient, in consequence of the accounts from that province, to send the governor-general to reside in Virginia, it was mentioned in the tenderest manner to Sir Jeffery. No affront was ever intended. Any recompence (if he did not chuse to go) in the power of administration, or in the gift of majesty, was offered to him. What more could he expect? He had it in his option to go or not; and if he did not go, he was promised an equivalent, perhaps more. As soon as this measure was surmised, was there

any harm in Lord Boutetort's application? Was there any fault in Lord Hillsborough's promising his interest for his friend? But is this an absolute appointment? No. All the world knows applications are made long before vacancies happen, and preferments are promised; but every one, except *Lucius*, can make a distinction between a promise and absolute appointment. I dare say there were applications from more than one quarter before the late archbishop died: and probably it was promised before the event happened: but if the see had not become vacant, the present archbishop might have remained at Coventry.

But speak out malevolence, speak envy, disappointment, and ill-nature. What in the name of goodness could be Sir Jeffery Amherst's objection to Lord Boutetort? Was it because he is a nobleman? Because he has gone to the chapel at St. James's, and has carried the sword of state before his king? Because he never has insulted majesty, but has always behaved himself as a dutiful and loyal subject, and respectfully to his sovereign? Are these the weighty motives for objecting to his succession? Or is it still a greater crime to be poor? And do these make it an *affront*, not an *injury?* Forbid it heaven! Forbid it Sir Jeffery Amherst's better genius! What would you

have had, *Lucius?* Would you have wished to have had the naming of Sir Jeffery's successor! What a pity you had not! I declare you deserved it! How could my Lord Hillsborough dare to recommend without your permission!

Demands, you say, are unfit to be used from subjects requesting of the crown. Indeed, *Lucius*, you are right; but many subjects now-a-days forget that they are so! and call them by what name you please, I acknowledge these articles of accommodation sent to the Duke of Grafton by Sir Jeffery Amherst, or said to be sent, answer exactly to the ideas I have of *demands*, and pretty peremptory ones too.

It is strange, *Lucius*, that you cannot write one line without abuse. Had you made your remarks upon the Duke of Grafton's answer to the first article without abusing his grace, it would have been genteel; but the scurrilous language you use, even when your arguments are just, proves that you are equally acquainted with the gentleman, and sense of honour. I believe it is well known that no commander-in-chief ever made less during a long war than Sir Jeffery Amherst did: and I am very sorry indeed that want of fortune, the consequence of honesty and integrity, should ever be assigned as a reason to refuse honours to those who

deserve them. The honours of this country, and its treasures to support them, have often been lavished on many who deserved them less than the conqueror of America. This I think was the only exceptionable answer from the Duke of Grafton. I hope it is not true.

Whatever delicate feelings you, *Mr. Lucius*, may have, I know not; but I am of opinion that sinecure places, non-resident governments, and pensions are in fact the same, though different in names: nay, the worst of the whole appears to me to be a non-resident governor. The very word implies a necessity of doing something; in fact he does nothing: he therefore is paid for what he does not, though it is his duty to do it. In short he is paid for a neglect of duty; but because our language has not annexed the word pension to such neglect, it does not grate his ears. And, after all, what was Sir Jeffery Amherst but a pensioner on the colony of Virginia? he did nothing for it, and was paid. Our idea of a pension is a reward granted for past services, so was his—such as you, *Lucius*, such tools of opposition, such state incendiaries, venal mercenary wretches, are glad to receive, rewards of your labours infinitely less honourable than either place or pension.

The Duke of Grafton's other answers were

unexceptionable. As to the regiments being given away, I did not know it, therefore I am excusable.

And now, *Mr. Lucius*, I'll tell you a secret. Your supposing my letter to come from my Lord Hillsborough, in my opinion did credit to the performance, and honour to me; but in justice to him I must declare, that I am not, know not, never saw, nor never spoke to the Earl of Hillsborough in my life—but just, as formerly,

CLEOPHAS.

LETTER XLI.

TO THE EARL OF HILLSBOROUGH.

MY LORD, 9 *September*, 1768.

It is indifferent to the public, whether the letters signed *Cleophas* are written by your lordship, or under your immediate direction. Whoever commits this humble begging language to paper, we know to a certainty the person by whom it is held. We know the suppliant style your lordship has condescended to adopt at routs, at tea-tables, and in banker's shops. But although you have changed your tone, I am bound in honour not to give you quarter. You have offended heinously against

your country, and public justice demands an example for the welfare of mankind.

I foresaw *Cleophas* would soon be disavowed. It seems the poor gentleman never saw, nor spoke to your lordship in his life, *but just as formerly*. The saving is a good one.

You say your character is above the reach of malice. True, my lord, you have fixed that reproach upon your character to which malice can add nothing. You say it will be respected when such pests of society as I am are no more. I agree with you that it is very little respected *at present*, and I believe I may unluckily have been the spoil of good company; but I doubt whether *my* death, or even your own, will restore you to your good fame. Your peace of mind is gone for ever.

After the particulars quoted by *Cleophas* it looks like trifling with the public, to confess that his accounts were collected in a coffee-house, and that he will neither answer for facts nor be directed by dates. These are evasions which I scorn to imitate. My authority is indisputable;—I have stated facts with precision, and marked the dates by which I shall invariably abide, yet *Cleophas* (alias your lordship,) says he has good ground *to believe* that the government was not given away four days before Sir J. A. was apprised of it;—he *believes* indeed

that it was previously applied for, and that Lord Boutetort had a conditional promise of it. These, it seems, are the articles of his creed; but, as they are not points of religious faith, to which there might be some merit in sacrificing our understanding, I presume the public is not obliged to conform to them. My questions were put strictly to points of fact and time, and have not yet been answered. Places, I doubt not, are often applied for and promised before they are vacant; but I did not expect to hear so indecent a case supposed and urged by a man in your lordship's station, as that the see of Canterbury was promised to another, before the death of a late pious and truly reverend incumbent.

You say that government was ready to make Sir J. A. any recompence: yet, excepting a grant of land in a wilderness, every one of his requests were flatly denied.

You ask if there was any harm in this, or any fault in that.—What is this but crying *peccavi*, in the very language of misery and despair? It neither suits the spirit, which can do wrong with firmness, nor that purity of innocence, which is conscious of having done right. If the necessity of sending over a governor to Virginia had really existed, and if your lordship had thought proper to take an early opportunity

of stating that necessity to Sir J. A.—if you had previously apprised him of the design of giving him a successor, and if, in conformity to such declarations, a man of business, of judgment, or activity, had been fixed on, you surely could not have paid too great an attention to Sir J. A. and you would have prevented every possible appearance of an intention to affront him. As to the pecuniary injury, I will venture to say, there is not a man breathing who would have been more easily satisfied in that respect than Sir J. A.—Compare this supposition with your real proceedings towards him, and though you cannot blush, I am sure you will be silent.

Your questions in favour of Lord Boutetort amount to nothing. It is not that he is a bad man, or an undutiful subject. But he is a trifling character and ruined in his fortunes. Poverty of itself is certainly not a crime. Yet the prodigality, which squanders a fair estate, is in the first instance dishonourable;—in the next it leads to every species of meanness and dependance, and, when it aims at a recovery at the expense of better men, becomes highly criminal. Will your lordship, can you, with a steady countenance, affirm that it was the *necessities* of the state, and not his own, which sent him to Virginia?

Your lordship may give what name you think proper to the requests proposed by Sir J. A. He was desired to specify them to the Duke of Grafton, and they were refused. It is true, he did not confine himself to the idea of a bare equivalent for the pecuniary value of his government. A generous mind, offended by an insult equally signal and unprovoked, looks back to services long neglected, and with justice unites the claim arising from those services to the insult, which of *right* demands a signal reparation.

As you seem, in the Duke of Grafton's answer to the first article, to feel and acknowledge your weakness, I shall not press you farther upon it.

The pensions given by the crown have been so scandalously prostituted, that a man of any nicety might well be forgiven, if he wished not to have the title of pensioner added to his name. But I shall not descend to a dispute about words. I speak to things. If, instead of the government of Virginia, his late Majesty, on the surrender of Louisburgh, had thought proper to give Sir J. A. a pension, and if this had been the declared motive of giving it, he might have accepted it without scruple, and held it with honour. Instances of pensions so bestowed are not very frequent. Sir Edward Hawke's is

one. How widely different is the case in question? I will not pretend to do justice to this good man's delicacy and sense of honour; but I can easily conceive how a man of common spirit must be affected, when a place which he possessed on the most honourable terms, is taken from him, without even the decency due to a gentleman;——when he sees it given to a needy court dependant, and when the only reparation offered him, is to enroll him in a list of pensioners, among whom an honest man would blush to see his name. If you had not been in such haste to correct the blunders of Mr. Pitt's administration, I think your insignificant friend might have appeared in that list without any disgrace to himself, and his distresses might have done credit to the humanity of your lordship's recommendation.

You did not know that the 15th regiment was given to Colonel Hotham.—Yet your assertion was direct. For shame, my lord, have done with these evasions. Poor Pownal * hangs his head in perfect modesty, and even your *fidus Achates*, your unfortunate Barrington disowns you.

I shall conclude with hinting to you (in a way which you alone will understand) that there

* Secretary to the board of trade. EDIT.

is a part of my behaviour to you, for which you owe me some acknowledgment. I know the ostensible defence you have given to the public differs widely from the real one intrusted privately to your friends. You are sensible that the most distant insinuation of what that defence is would ruin you at once. But I am a man of honour, and will neither take advantage of your imprudence, nor of the difficulty of your situation.

LUCIUS.

LETTER XLII.

Plerisque moris est, prolato rerum ordine, in aliquem lætum atque plausibilem locum quam maxime possint favor abiliter excurrere.

QUINTILIAN.

TO THE EARL OF HILLSBOROUGH.

MY LORD, 10 *September*, 1768.

YOUR change of title makes no alteration in the merits of your cause. You argued as well, and were full as honest a man, under the character of *Cleophas* as you are under that of *Scrutator*. The task of pursuing falsehood through a labyrinth of nonsense is, I confess, much heavier than I expected. You have a way with you, my lord, which blunts the edge

of attention, and sets all argument at defiance. But I hold myself engaged to the public, whose cause is united with that of Sir Jeffery Amherst. The people of this country feel as they ought to do your treatment of a man who has served them well; and the time may come, my lord, when you in your turn may feel the effects of their resentment.

You set out with asserting, that the crown has an indisputable power of dismissing its officers without assigning a cause.—Not quite indisputable, my lord;—for I have heard of addresses from parliament, to know who advised the dismission of particular officers. I have heard of impeachments attending a wanton exertion of the prerogative, and you perhaps may live to hear of them likewise.

Another assertion of the same sort has been thrown out by your emissaries, and is now gravely maintained by your lordship,—viz. that the promise conveyed to Sir J. A. by Mr. Pitt was in itself an absurdity, and that no succeeding minister is bound to make good an engagement entered into by his predecessor in office*. I

* The reference is to the letter signed *Scrutator*, in which the writer observes as follows in respect to the subject in question:—" An absurd promise is asserted to have been made to Sir Jeffery Amherst at the time of his appointment to the government of Virginia, that *his attendance on*

shall leave my lord privy seal to explain to you the motives on which Mr. Pitt acted*. The promise arose from his own motion, and, if he has not spirit enough to maintain it, he deserves the contempt with which you treat him. In the mean time, I shall presume that a lieutenant-governor was then thought as *efficient* an officer as a governor, and that this post was bestowed on Sir J. A. not as the salary of future duties, but as the reward of services already performed. In the second part of your assertion, you wilfully confound the general measures of government with the particular promise of a king made to an individual. Even ministers, my lord, might, without any injury to their characters, preserve the faith and integrity of their office. But whatever latitude they may claim for themselves, the honour of a king ought

his government should never be required; and a torrent of obloquy has been poured upon Lord Hillsborough for not keeping a promise, which it is not even insinuated that his lordship ever made. I can scarce think that any man could have been so infatuated as, at any time, to make such a preposterous promise,—a promise in itself void by a settled maxim of law, as repugnant to the grant.—But if any man could be so infantinely weak, it is *his* business alone to answer for the breach." EDIT.

* Mr. Pitt was at this time lord privy seal with the title of Lord Chatham. EDIT.

to be sacred, even to his successor. The proposition that ministers are not bound by the engagements of their predecessors, if taken generally, is false. There is no breach of public faith, which may not be justified on such a principle. Treaties at this rate may be violated without national dishonour, and the most solemn assertions from the throne, contradicted without reserve. You forget that you are mixing the permanent dignity of the crown, with the fluctuating interests and views of its servants. Yet I shall now allow you more, my lord, than I believe you expect. I shall admit, without hesitation, that the promise made to Sir J. A. could not be so absolute, as not to be revokable in a case of urgent necessity. If such a case had been stated, and demonstrated to Sir J. A. he would not have staid to be solicited. He would either have gone himself, or cheerfully resigned his government to his Majesty's disposal. The question turns then upon the degree of that necessity. Make it evident to the public, and I shall then only complain that you have done a right thing in a manner the most indecent and absurd. You will remember, my lord, how much the issue of this question depends upon Lord Boutetort's character, for the public will not easily be per-

suaded, that a conjuncture which did not rise above the level of Lord Boutetort's abilities, could be difficult, urgent, or important*.

You say the facts on which you reason *are universally admitted.*—A *gratis dictum* which I flatly deny. If, instead of wandering into wild declamation, you had found it convenient to answer my questions strictly, we should have

* *Scrutator* concludes his letter in the following words:—

"Our vigilant minister is vehemently exclaimed against, because he shewed himself prepared on the instant, to supply the vacant place of the recreant knight. According to the ideas of the politicians of the *bon ton*, who always substitute personal to national considerations, there ought to have been a decent interval allowed either for the gentleman to repent, or for us, like fashionable widows, to mourn, before a successor were appointed in his room—though in that interval the colony should be lost.—I honour Lord Hillsborough for having his man ready, ready not only for his place, but for the province; ready not only to kiss hands, but to take his passage. And from the watchful activity his lordship has exerted in every known instance in his arduous employment, I have not the least doubt but that if Lord Boutetort had either refused to go, or on any pretext delayed his departure, Lord Hillsborough had still some third man in his eye, who would have made ample amends for the deficiencies of both.

"I wish this may prove a lesson to all future ministers of state to keep a tight rein upon all officers in their departments, lest any one should cry out and affect to be surprized, when suddenly called upon to do his duty, as he prizes his salary." EDIT.

joined issue upon our facts, and the point would long since have been determined. Permit me to refresh your memory with some of them once more.

1. Was not Lord Boutetort absolutely appointed on the 31st of July?

2. Was it mentioned in any shape to Sir Jeffery Amherst before the 4th of August?

3. Was it not then mentioned as a measure in contemplation only?

4. Did not Lord Boutetort kiss hands next morning, that is Friday the 5th instant?

5. Did not Sir Jeffery Amherst's opinion in council defeat an American scheme formed by you and Lord Barrington, and is not this the true cause of your rancour against him?

It is unworthy of the character of a gentleman to endeavour to amuse the public with idle declamations, while such questions as these remain unanswered.

LUCIUS *.

* There were several replies to this letter. One by an *Independent Country Gentleman* just arrived in town, and dated from the *Bell Inn;* and another, signed *Chrononhotonthologos*, seem to have obtained some attention from the public, and the latter especially, in consequence of the writer's having discovered that *Lucius* had made a mistake, not in the *facts* of the transaction but in one of the *dates*, by asserting that Sir Jeffery Amherst came to town on Thursday, August 4th, instead of one week earlier, Thurs-

LETTER XLIII.

TO THE EARL OF HILLSBOROUGH.

MY LORD, 15 *September*, 1768.

THERE is no surer sign of a weak head than a settled depravity of heart. A base ac-

day, July 28. Both these letters were replied to with much spirit by the following, signed *Corrector*.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 14 *September*, 1768.

I AM not surprised to find the *tools of power* alarmed at the *sensible*, *pointed*, and *masterly* letters of your correspondent *Lucius;* but the little arts they have as yet used to baffle his arguments have only served to expose their own weakness. I hope the gentleman at the *Bell Inn* took the opportunity of a *dry day* to get to town for further information; for in good truth, if he is still *storm-staid* by the *rainy weather*, he had much better smoke a pipe with Boniface his landlord, than trouble the public with *nods*, for such I call his answers to the queries of *Lucius*.

My troubling you at present is not to answer such a *driveller;* but on reading this morning the letter in your paper, signed with the *long name*, I found that, at last, *Mr. Lucius* was catched. Your correspondent however deals very tenderly with him, being sensible, I suppose, of the ticklishness of the *ground*. As an admirer of the spirit of *Lucius*, and being thoroughly acquainted with the *times* and circumstances in dispute, allow me to give the true *edition*, by which it will appear that *Mr. Chrononhotonthologos* does not mend the matter by his wonderful discovery.

Lucius begins on Thursday, the 4th of August, whereas

tion is a disorder of the mind, and next to the folly of doing it, is the folly which defends it. Had the letter signed *Lucius* never been answered, you would not have so shamefully betrayed the weakness of your cause, and your silence might have been interpreted into a consciousness of innocence. The question is now exhausted, for the public is convinced. How

in truth it was on Thursday, the 28th of July, that Sir Jeffery Amherst came to town, and finding that Lord Hillsborough had been at his house, he immediately waited on his lordship, when he had the *first* intimation of his affair, Lord Hillsborough's letter having been sent to Sir Jeffery's house in the country. The very next day, viz. Friday, the 29th, Lord Boutetort kissed hands on his appointment to that government, which the day before had been offered to Sir Jeffery; and on the 30th Sir Jeffery sent the *requests* in writing to the Duke of Grafton which have been by the ministerial hirelings termed *demands*, and which have not been fairly represented. Sir Jeffery did not fix on the *coal mines* as the only *grant*, but left it to *administration* to give that, or any other which might be more convenient, to enable him to support the dignity he requested; nor did he ask for a *separate* grant of lands as has been asserted. That Sir Jeffery Amherst speaks of Lord Hillsborough in terms like a gentleman I can easily believe, as he is not capable of acting otherwise to a nobleman who has the honour of being one of his Majesty's servants; but that he was *pleased* at the treatment he received I absolutely deny, as it must be evident to the world, from what followed the appointment of Lord Boutetort, that he thought himself *grossly affronted*.

EDIT. CORRECTOR.

well or ill we have argued is of infinitely less importance than the integrity of facts. Yet even facts, though separately true, will prove nothing, if the order in which they happened be confounded. Take it finally, my lord, and disprove it if you can. Lord Boutetort's appointment was fixed on or before Sunday. You called at Sir Jeffery Amherst's on the Wednesday following. He was not in town, but you saw him next day (Thursday). You then told him that such a measure was in contemplation; but far from naming his successor, you did not tell him that his successor was appointed. Yet Lord Boutetort kissed hands the next morning (Friday), and the first notice Sir Jeffery Amherst received of his lordship's appointment was by an express sent to him that evening by his brother.

That you are a civil, polite person is true. Few men understand the little morals better, or observe the great ones less, than your lordship. You can bow and smile in an honest man's face, while you pick his pocket. These are the virtues of a court in which your education has not been neglected. In any other school you might have learned that simplicity and integrity are worth them all. Sir Jeffery Amherst was fighting the battles of this country, while you, my lord, the darling child of prudence and urba-

nity, were practising the generous arts of a courtier, and securing an honourable interest in the antichamber of a favourite.

As a man of abilities for public business your first experiment has been unfortunate. Your circular letter to the American governors, both for matter and composition, is a performance which a school-boy ought to blush for. The importance and difficulty of the occasion gave you a fair opportunity of shewing by what talents you were qualified for the station of a minister. The assembly of Massachusets' Bay, not contented with their own efforts to throw off their allegiance, solicit the other colonies to unite with them in measures of the same tendency and spirit. A resolution of this extraordinary nature demanded the whole attention of government, and yours in particular. Let us see how you have treated it. Instead of a clear precise instruction to each governor;—instead of separate instructions adapted to the temper, circumstances, and interests of the several provinces, wherein you might have shewn your political abilities as well as your knowledge of that country; what have you done? In a circular letter of twenty or thirty lines (conceived in the same terms to all the governors) you tell them,

"That this measure is of a dangerous and

factious tendency." *A most wonderful discovery.*

" That it is calculated to inflame the minds of his Majesty's subjects." *What else do you think was meant by it?*

" An unwarrantable combination." *That's the question with* THEM, *and why did you not prove it so?*

" That it excites an opposition to parliament." *What other design in the name of folly could be proposed by it?*

" That it subverts the true principles of the constitution." *Which they utterly deny.*

What are these but the loose hackneyed terms of office, which make no impression because they convey no argument, and hardly a determinate meaning. You have not suggested a single motive to any one of the colonies, why they should not unite with the assembly of Boston. This task you leave to the governors, and if they find it an easy one, so much the better. Your conclusion however is a master-piece. You desire the governors to prevail with their assemblies to take no notice of the requisition from Boston, *which will be treating it with the contempt it deserves.* What, my lord, do you seriously think, that a formal attempt to unite the whole continent of Ame-

rica in rebellion against this country deserves nothing but the silent indifference of contempt? Is this the language of business or attention? Your letter, my lord, does indeed deserve contempt, but the enterprizes of the colonies are of other importance. They call for other measures and other ministers, and be assured that, when parliament meets, unless you intend to govern without one, neither you nor your companions will be permitted to ruin this country with impunity.

LUCIUS.

P. S. A friend of mine has taken the pains to collect a number of the epithets with which Lord Hillsborough has been pleased to honour me in the course of our correspondence. I shall lay them before the public in one view, as a specimen of his lordship's urbanity and singular condescension.

1. Wretched scribbler.
2. Worthless fellow.
3. Vile incendiary.
4. False liar, *in opposition to a true one.*
5. Snarler.
6. Contemptible thing.
7. Abandoned tool of opposition, and diabolical miscreant.
8. Impudent scurrilous wretch.

9. Rascal and scoundrel, *passim.*

10. Barking cur; *by way of distinction from*

11. Barking animal; *cum multis aliis.*

To all which I shall only say, that his lordship's arguments are upon a level with his politeness.

P. S. I acknowledge a mistake the moment I perceive it. I have advanced the transaction between Lord Hillsborough and Sir Jeffery Amherst too forward by one complete week. But the days of the week, the facts, and the order in which they succeeded one another, are the same. You see plainly that my arguments are not affected by this mistake. If they had, I should have acknowledged it without hesitation.

LETTER XLIV.

TO THE EARL OF HILLSBOROUGH.

MY LORD, 20 *September*, 1768.

PERMIT me to have the honour of introducing you to a very amiable and valuable acquaintance. Mr. Ford is the gentleman I mean. Your lordship will forgive the timidity and bashfulness of his first address, and, considering your quality, condescend to make him some advances. There is a similarity in your circumstances, to say nothing of your virtues

and understanding, which may lay the foundation of a solid friendship between you for the rest of your lives. Undoubtedly you are not quite unacquainted with a character, on which you appear to have formed your own. His case was singular, my lord, and cannot fail of exciting some emotions of sympathy in your lordship's breast. This worthy man found himself exposed to a most malicious prosecution for perjury. A profligate jury found him guilty, and a cruel judge pronounced his sentence of imprisonment, pillory, and transportation. His mind was a good deal distressed in the course of this affair (for he too is a man of delicate feelings), but his character, like yours, was above the reach of malice. Not to keep your lordship any longer in pain, I have the pleasure of telling you that, when law and justice had done their worst, a lady, in whom he seldom places any confidence at cards, was generous enough to stand his friend. Fortune discovered a flaw in the indictment; and now, my lord, in spite of an iniquitous prosecution, in spite of conviction and sentence, he stands as fair in his reputation as ever he did. Your lordship will naturally be struck with the resemblance between your case and his. Facts were so particularly stated against you that they could not be denied;—the order in which they happened was

demonstrated, and sentence was pronounced by the public. The affair was over, when up gets *Tommy Ford*, and discovers that the whole transaction passed in the last week of July instead of the first in August. This mistake, as it brought the object nearer to us, I called *advancing*. In your lordship's country I presume it may properly be called a retreat. Here, however, the comparison ends. Your friend escaped by a form of law. But you, my lord, have been tried at a tribunal of honour and equity. The public, who are your judges, will not suffer *my* mistake (however it may prove the badness of my heart to acknowledge it) to quash the indictment against you. You are convicted of having done a base and foolish action, in a manner the most despicable and absurd. Your punishment attends you in the contempt and detestation of mankind.

Your lordship has been pleased to publish a long letter in the Gazetteer, to prove that all Sir Jeffery Amherst's military services are a mere fiction. You did not sign it indeed, because you had lately signed another, containing the most express and authentic acknowledgment of those services, in a style of applause, not very distant from flattery. You will not now it seems allow him any share in the reduction of Louisbourg, or the conquest of Canada.

Perhaps after all he never was in America. I am not a soldier, my lord, nor will I pretend to determine, what share of honour a general is entitled to for success, who must have borne the whole blame and disgrace, if he had failed. Had the event been unfavourable, his officers, I dare say, would have been willing enough to yield *their* concern in it to their commander in chief. As to the rest, I have heard from military men, that the judgment and capacity, which make resistance useless or impracticable, are rated much higher than even the resolution which overcomes it. When you, my lord, and Mr. Ford are forgotten, this country will remember with gratitude, that Sir Jeffery Amherst had the honour of making sixteen French battalions prisoners of war—that he carried on the whole war in America at an expense less than the fortunes, which some individuals had acquired by contracts and management in Germany;—and that he *did not* put the savings into his own pocket.

If a British peerage be too high a reward for these services, at least do him justice. Do not assure the public that he was not contented with a revenue of four thousand pounds a year, when you know that the income of his government and two regiments, did not exceed two thousand three hundred, and that, until he was positively

outraged, he never complained. As I profess dealing in facts, take the account.

Government of Virginia	1500
Fifteenth regiment	600
Commandant of the 60th	200
	2300

As to a peerage, you would have done well to consider upon what sort of people this honour has been conferred for ten years past. Among the rest, we should be glad to know what were your lordship's services or merits, when you were created Baron of Harwich. I take for granted that they were of a different complexion from those of Sir J. A. since they have been so differently rewarded.

Here I shall conclude. You have sent Sir Jeffery Amherst to the plough. You have left him poor in every article of which a false fawning minister could deprive him;—but you have left him rich in the esteem, the love and veneration of his country. You cannot now recal him by any offer of wealth or honours. Yet I foretel that a time will come, when you yourself will be the cause of his return. Proceed, my lord, as you have begun, and you will soon reduce this country to an extremity, in which the wisest and best subjects *must* be called upon, and *must* be employed. Till then enjoy your triumph.

LUCIUS.

LETTER XLV.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 6 *October*, 1768.

SINCE my last letter was printed*, a question has been stated in the newspapers, which I think it incumbent upon me, as an honest man, to answer. Admitting my representation of the melancholy state of this country, and of public credit to be strictly true, "what good purpose can it answer to discover such truths, and to lay our weakness open to the world?" One would think such a question hardly wanted a reply. If a real misfortune were lessened by concealment; - if, by shutting our eyes to our weakness, we could give our enemies an opinion of our strength, none but a traitor would withdraw the veil, which covered the nakedness of his country. But if the contrary be true; if concealment serves only to nourish and increase the mischief, the conclusion is direct. A good subject will endeavour to rouse the attention of his country;—he will give the alarm, and point out the danger, against which she ought to provide. The policy of concealment is no better than the wisdom of a prodigal, who wastes

* Miscellaneous Letters, No. XXXIII. p. 91. EDIT.

his estate without reflection, and has not courage enough to examine his accounts.

In my last letter, I foretold the great fall of the stocks, which has since happened, and I now do not scruple to foretel that they must and will fall much lower. Yet I am not moved by the arts of stock-jobbers, or by temporary rumours, magnified, if not created, for particular purposes in the alley. These artifices are directed to maintain a fluctuation not a continued fall. The principles on which *my* reasoning is founded, are taken generally from the state of France and of this country. When I see our natural enemy strong enough not only to elude a material article of treaty*, but to set us at defiance while they conquer a kingdom†; and when I combine this appearance of strength with their natural restlessness, I cannot doubt of their taking the first opportunity to recover their lost honour, by a fresh declaration of war. On the other hand, considering the hostile temper of the colonies towards us, the oppressive weight of a monstrous debt (to which a peace of six years has scarce given a sensible

* His Most Catholic Majesty, being a branch of the Bourbon dynasty—in the refusal of his ministers to discharge the Manilla ransom. EDIT.

† Corsica. EDIT.

relief) and, above all, the misery, weakness, and distraction of our interior government, I cannot have a doubt that our enemies now have, or in a very little time will have, the fairest opportunity they can wish for to force us into a war. The conclusion, to be drawn from these premises, is obvious. It amounts to a moral certainty, and leaves no room for hope or apprehension.

To these, which are the most important circumstances of our situation, may well be added the high price of labour, the decay of trade, and the ruinous system on which it is conducted. Every minuter article conspires against us. The deficiency of the civil list must be paid, and cannot be paid with less than seven hundred thousand pounds. The India company will yield to no terms, which are not founded on an express acknowledgment of their exclusive property in their conquests in Asia. How far their pretensions are just is at least a doubtful question. Whether parliament will divest them of this property, by a mere declaratory law, is a matter of the most important consideration. It would be a dreadful precedent, because it would shake every security of private property. Yet, even if that were determined, another question remains full of difficulty and danger;

—that is, in what manner the public will avail themselves of this great right, decided by nothing but a vote of parliament.

Sir, I am not affected by the rumours of the day. If the stocks rise or fall upon a report of tranquillity or tumult at Boston*, I am satisfied that it is owing to the arts and management of stock-jobbers. But I see the spirit which has gone abroad through the colonies, and I know what consequences that spirit *must and will* produce. If it be determined to enforce the authority of the legislature, the event will be uncertain: but if we yield to the pretensions of America, there is no farther doubt about the matter. From that moment they become an independent people, they open their trade with the rest of the world, and England is undone.

In these circumstances, calamitous as they are, I yet think the uniform direction of a great and able minister might do much. His earliest care, I am persuaded, would be to provide a fund to support the first alarm and expense of a rupture with France. If prepared to meet a war, he might perhaps avoid it. His next object would be to form a plan of agreement with the colonies. He would consent to yield some ground to the Americans, if it were possible to

* See note to Vol. II. p. 147. EDIT.

receive a security from them, that they never would advance beyond the line then drawn, upon conditions mutually agreed on. By an equitable offer of this kind, he would certainly unite this country in the support of his measures, and I am persuaded he would have the reasonable part of the Americans of his side.

These, Sir, unfortunately for us, are views too high and important even to be thought of, while we are governed as we are. I would not descend to a reproachful word against men, whose persons I hardly know: but it is impossible for an honest man to behold the circumstances, to which a weak distracted administration has reduced us, without feeling one pang at least for the approaching ruin of Great Britain.

ATTICUS.

LETTER XLVI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 12 *October*, 1768.

I BELIEVE one may challenge any time or country to produce more noble instances of a free and manly spirit, than have appeared in several of your late correspondents. Without direction, without information, without promise

or hope of reward, without personal friendship, favour, or acquaintance, several heroes of the pen have boldly stood forth and generously dared to defend a great minister of state, although in the plenitude of his power, and invested with the patronage to an infinite number of lucrative offices. This, I say, is true virtue; and this virtue your correspondents, with various hard names, have solemnly assured us they possess.

They have demonstrated, to the satisfaction of the public, against the calumnies of a dull writer, called *Lucius*, that every part of the late conduct of Lord Hillsborough with regard to Sir J. Amherst is just what it ought to have been; nothing ill-intentioned, nothing either deficient or redundant; and that it may well serve for a pattern upon all similar occasions.

However, it sometimes happens a little perversely, that the very best actions have every now and then consequences that are somewhat odd—I do not say absolutely bad; but only a little untoward. Thus though Lord Hillsborough has done his duty to a miracle in all parts of this business, and that his character comes like gold out of the furnace of this fierce contest; yet so it happens, that the event and the sole event of all this upright intention and wise action is, that the nation has at a critical

time lost to her service Sir J. Amherst; and has gained to it Lord Boutetort.

This is a little crooked with regard to the political effect of the measure; but I hope it is set to rights by the moral consequence. Rewards and punishments are so distributed, as to point out for the future, to all people in the civil or military lines, the conduct they ought to pursue in such a manner, that it is impossible they should mistake their way. For Sir Jeffery Amherst has lost £2,300 a year by his folly—Lord Hillsborough and Lord Boutetort have each acquired as much by their wisdom. I cannot forbear to congratulate the public upon all these favourable appearances.

I am, Sir,
Your humble servant,
TEMPORUM FELICITAS.

LETTER XLVII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 15 *October*, 1768.

YOUR correspondent, who calls himself *A Friend to Public Credit*, has given us one of the most extravagant conceits that ever entered into the brain of a politician. He assures us that a rupture with France or Spain is highly

improbable, because the secretary of state* for that department possesses no share in his master's confidence, and is in open enmity with his colleagues in office. Supposing the argument to be just, let us see how far it will extend. One of his Majesty's ministers is hated and distrusted; *ergo*, a war is improbable. But if two of them should happen to be in that unpleasant situation, the improbability would increase, and so we should proceed to an inevitable conclusion. If all the ministry were separately suspected by their master, and reciprocally detested by one another (which I fancy is not far from the truth), a declaration of war would be the last thing to be expected. At this rate the peace of this country is established upon a foundation equally new and secure; upon the distraction of the councils by which we are governed. What a pity it is that not one article in this pretty syllogism is true! I agree with your correspondent, that when a nation is governed as we are, our constant prayer should be, *Give peace in the time of these ministers, O Lord!* But I fear that the same reasons, which ought to keep *us* quiet, will operate in a contrary direction upon our enemies. I fear they only wait until the differences with our

* Lord Shelburne.

colonies and the divisions among ourselves are arrived at a crisis, and that then they will overwhelm us with an open war. In the mean time the House of Bourbon are labouring to unite their strength, and to extend the bounds of their dominion. Their insatiable ambition will not spare even the father of their church, who must be entirely dispossessed of his territories, unless the protestant powers interpose in his defence. It was and ought for ever to be our policy to support this prince in his temporal power, without any regard to his religion. If he were a Turk, he ought to be protected in the possession of his dominions against the House of Bourbon. Or are we to sink into a lethargic stupidity, while the French conquer Corsica and overrun Italy, and sit with our arms across, until they thunder at our gate? There is certainly some dreadful infatuation, which hangs over and directs the councils of this country. Our ministers drive us headlong to destruction, while their emissaries insult us with assurances that the divisions among the king's servants form the best security of peace with our enemies. God knows, Sir, it is time to rouse and shake off this lethargy. It is time for parliament to interpose, if yet there be a hope of saving Great Britain. Our last constitutional resource is vested in parliament. By whose

advice or neglect the French were suffered to land in Corsica should be one of the first objects of their enquiry, and whether French money has been given or received here. Every measure of government opens an ample field for a parliamentary inquisition. If this resource should fail us, our next and latest appeal must be made to heaven.

BRUTUS.

LETTER XLVIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 19 *October*, 1768.

We are assured by the advocates of the ministry, that while Lord Shelburne is secretary of state, we can have no reason to apprehend a rupture with France or Spain. This proposition is singular enough, and I believe turns upon a refinement very distant from the simplicity of common sense. But, admitting it to be self-evident, the conclusion is such as I apprehend your correspondent, who signs himself *A friend to public credit*, did not clearly foresee. If Lord Shelburne's remaining in office constitutes a security of peace, his being suddenly removed must amount to a declaration of war. Now, Sir, the fact is, that his lordship's

removal has been for some weeks in agitation, and is within these few days absolutely determined*. If I were a party-writer, the indiscretion of the ministerial advocates would give me as many advantages as even the wretched conduct of the ministry themselves. But I write for the public, and in that view hold myself far above a little triumph over men, whose compositions are as weak as the cause they defend†.

In my former letters I have given you a melancholy but a true representation of the state of this country. Every packet from America and the continent confirms it. The demonstration of facts follows the probability of argument, and the prediction of the present hour is the experience of the next. If you will now permit me to offer my opinion of the great persons, under whose administration we are reduced to this deplorable state, the public will be enabled to judge whether these are the men most likely to relieve us from it. The curiosity of personal malice shall make no part of this enquiry. As public men we have a right to be acquainted with their real characters, because we are interested in their public conduct.

* Lord Shelburne resigned October 21, 1768. EDIT.

† See Private Letter, No. 5. in which the author makes a similar remark upon the writers in defence of the then administration. EDIT.

When the Duke of Grafton first entered into office, it was the fashion of the times to suppose that young men might have wisdom without experience. They thought so themselves, and the most important affairs of this country were committed to the first trial of their abilities. His Grace had honourably flesht his maiden sword in the field of opposition, and had gone through all the discipline of the minority with credit. He dined at Wildman's, railed at favourites, looked up to Lord Chatham with astonishment, and was the declared advocate of Mr. Wilkes. It afterwards pleased his Grace to enter into administration with his friend Lord Rockingham, and, in a very little time, it pleased his Grace to abandon him. He then accepted of the treasury upon terms which Lord Temple had disdained. For a short time his submission to Lord Chatham was unlimited. He could not answer a private letter without Lord Chatham's permission. I presume he was then learning his trade, for he soon set up for himself. Until he declared himself the minister, his character had been but little understood. From that moment a system of conduct, directed by passion and caprice, not only reminds us that he is a young man, but a young man without solidity or judgment. One day he desponds and threatens to resign. The next,

he finds his blood heated, and swears to his friends he is determined to go on. In his public measures we have seen no proof either of ability or consistency. The stamp-act had been repealed (no matter how unwisely) under the preceding administration. The colonies had reason to triumph, and were returning to their good humour. The point was decided, when this young man thought proper to revive it. Without either plan or necessity he adopts the spirit of Mr. Grenville's measures, and renews the question of taxation in a form more odious and less effectual than that of the law which had been repealed.

With respect to the invasion of Corsica *, it will be matter of parliamentary enquiry, whether he has carried on a secret negociation with the French court, in terms contradictory to the resolution of council, and to the instructions drawn up thereupon by his Majesty's secretary of state †. If it shall appear that he has quitted the line of his department to be-

* See notes in Vol. I. p. 72. When, upon the invitation of the Genoese, the French invaded Corsica, a remonstrance was presented by the English minister at Paris; but here the resistance dropped. EDIT.

† A motion which tended to an enquiry of this kind was made in the House of Commons by Hans Sloane, Esq. but the *uninfluenced, unplaced, unpensioned majority*, thought proper to put a *negative* upon it.

tray the honour and security of his country, and if there be a power sufficient to protect him, in such a case, against public justice, the constitution of Great Britain is at an end.

His standing foremost in the persecution of Mr. Wilkes, if former declarations and connections be considered, is base and contemptible*. The man whom he now brands with treason and blasphemy, but a very few years ago was the Duke of Grafton's friend, nor is his identity altered, except by his misfortunes.—In the last instance of his Grace's judgment and consistency we see him, after trying and deserting every party, throw himself into the arms of a set of men, whose political principles he had always pretended to abhor. These men I doubt not will teach him the folly of his conduct better than I can. They grasp at every thing, and will soon push him from his seat. His private history would but little deserve our attention, if he had not voluntarily brought it into public notice. I will not call the amusements of a young man criminal, though I think they become his age better than his station. There is a period at which the most unruly passions are gratified or exhausted, and which leaves the mind clear and undisturbed in its attention to

* See JUNIUS, Vol. I. p. 136. EDIT.

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business. His Grace's gallantry would be offended if we were to suppose him within many years of being thus qualified for public affairs. As for the rest, making every allowance for the frailty of human nature, I can make none for a continued breach of public decorum *; nor can I believe that man very zealous for the interest of his country who sets her opinion at defiance. This nobleman, however, has one claim to respect, since it has pleased our gracious Sovereign to make him prime minister of Great Britain.

The chancellor of the exchequer † is a moderate man, and pretends to no higher merit than that of an humble assistant in office. If he escapes censure, he is too prudent to aim at applause. The necessity of his affairs had separated him from earlier friendships and connections, and if he were of any consequence, we might lament that an honest man should find it necessary to disgrace himself in a post he is utterly unfit for. But we have other objects to attend to. It depends greatly upon the present management of the finances, whether this country shall stand or fall. A common clerk in office may conduct the ordinary

* See JUNIUS, Vol. I. p. 159. and Miscellaneous Letter XX. EDIT.

† Lord North. EDIT.

supplies of the year, but to give a sensible relief to public credit, or to provide funds against a rupture abroad, are objects above him. To remove those oppressions which lie heaviest upon trade, and, by the same operation, to improve the revenue, demands a superior capacity, supported by the most extensive knowledge. To vulgar minds it may appear unattainable, because vulgar minds make no distinction between the highly difficult and the impossible *.

The Earl of Hillsborough † set out with a determined attachment to the court party, let who would be minister. He had one vice less than other courtiers, for he never even pretended to be a patriot. The Oxford election gave him an opportunity of shewing some skill in parliamentary management, while an uniform obsequious submission to his superiors introduced him into lucrative places, and crowned his ambition with a peerage. He is now what they call a king's man; ready, as the closet directs, to be any thing or nothing, but always glad to be employed. A new department, cre-

* See Lord North's talents further discussed in the letters of JUNIUS, No. XXXIX. Vol. II. p. 148. where the writer does not appear to entertain a much higher opinion of them than in his present address. EDIT.

† Minister for the colonial department. EDIT.

ated on purpose for him, attracted a greater expectation than he has yet been able to support. In his first act of power he has betrayed a most miserable want of judgment. A provision for Lord Boutetort was not an object of importance sufficient to justify a risk of the first impression, which a new minister must give of himself to the public. For my own part I hold him in some measure excused; because I am persuaded the defence he has delivered privately to his friends is true, "That the measure came from another and a higher quarter." But still he is the tool, and ceasing to be criminal, sinks into contempt. In his new department I am sorry to say he has shewn neither abilities nor good sense. His letters to the colonies contain nothing but expressions equally loose and violent. The minds of the Americans are not to be conciliated by a language, which only contradicts without attempting to persuade. His correspondence upon the whole is so defective both in design and composition, that it would deserve our pity, if the consequences to be dreaded from it did not excite our indignation. This treatment of the colonies, added to his refusal to present a petition from one of them to the king, (a direct breach of the declaration of rights) will na-

turally throw them all into a flame. I protest, Sir, I am astonished at the infatuation which seems to have directed his whole conduct. The other ministers were proceeding in their usual course, without foreseeing or regarding consequences; but this nobleman seems to have marked out, by a determined choice, the means to precipitate our destruction.

The earl of Shelburne had initiated himself in business, by carrying messages between the Earl of Bute and Mr. Fox, and was for some time a favourite with both. Before he was an ensign he thought himself fit to be a general, and to be a leading minister before he ever saw a public office. The life of this young man is a satire on mankind. The treachery, which deserts a friend, might be a virtue, compared to the fawning baseness which attaches itself to a declared enemy. Lord Chatham became his idol, introduced him into the most difficult department of the state, and left him there to shift for himself. It was a master-piece of revenge. Unconnected, unsupported, he remains in office without interest or dignity, as if the income were an equivalent for all loss of reputation. Without spirit or judgment to take an advantageous moment of retiring, he submits to be insulted, as long as he is paid for it. But even this abject conduct will avail him nothing.

Like his great archetype, the vapour on which he rose deserts him, and now,

"Fluttering his pennons vain, plumb down he drops *."

I cannot observe without reluctance, that the only man of real abilities in the present administration, is not an object either of respect or esteem. The character of the lord chancellor † is a strong proof that an able, consistent, judicious conduct, depends upon other qualities than those of the head. Passions and party, in his lordship's understanding, had united all the extremes. They gave him to the world in one moment, the patron of natural liberty, independent of civil constitutions; in the next the assertor of prerogative independent of law ‡. How he will advise the crown in the present crisis, is of more importance to the public than to himself. His patronage of Mr. Wilkes, and of America, have succeeded to his wish. They have given him a peerage, a pension, and the seals; and, as for his future opinions, he can adopt none for which he may not find a precedent and justification in his former conduct.

The Earl of Chatham—I had much to say, but it were inhuman to persecute, when Pro-

* Milton, Paradise Lost, ii. EDIT.

† Lord Camden. EDIT.

‡ See JUNIUS, Letter LIX. Vol. II. p. 350. EDIT.

vidence has marked out the example to mankind *!

My Lord Granby is certainly a brave man and a generous man, and both without design or reflection. How far the army is improved under his direction, is another question. His German friends will all have regiments; and it is enough to say of his lordship, that he has too much good humour to contradict the reigning minister.

The length of this letter will not permit me to do particular justice to the Duke of Bedford's friends; neither is it necessary. With one united view they have but one character. My Lord Gower and Lord Weymouth were distressed, and Rigby was insatiable. The school they were bred in taught them how to abandon their friends, without deserting their principles. There is a littleness even in their ambition; for money is their first object. Their professed opinions upon some great points are so different from those of the party with which they are now united, that the council-chamber is become a scene of open hostilities. While the fate of

* Lord Chatham was at this time so severely tortured and worn away by the gout, that it was supposed he would never be able to resume an active part in politics, and in a very few days after the publication of this letter, resigned his post of lord privy seal. EDIT.

Great Britain is at stake, these worthy counsellors dispute without decency, advise without sincerity, resolve without decision, and leave the measure to be executed by the man who voted against it. This, I conceive, is the last disorder of the state. The consultation meets but to disagree. Opposite medicines are prescribed, and the last fixed on is changed by the hand that gives it.

Such is the council, by which the best of sovereigns is advised, and the greatest nation upon earth governed. Separately the figures are only offensive; in a group they are formidable. Commerce languishes, manufactures are oppressed, and public credit already feels her approaching dissolution: yet, under the direction of this council, we are to prepare for a dreadful contest with the colonies, and a war with the whole house of Bourbon. I am not surprised that the generality of men should endeavour to shut their eyes to this melancholy prospect. Yet I am filled with grief and indignation, when I behold a wise and gallant people lost in a stupidity, which does not feel, because it will not look forward. The voice of one man will hardly be heard when the voice of truth and reason is neglected; but as far as mine extends, the authors of our ruin shall be marked out to the public, I will not tamely sub-

mit to be sacrificed, nor shall this country perish without warning.

ATTICUS.

LETTER XLIX.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 26 *October*, 1768.

THE great abilities which have distinguished the character of the Earl of Rochford, have justly procured him the love of his countrymen, and have entitled him to the favour and protection of his sovereign: it was therefore with universal approbation that the public received the promises of his advancement at this important crisis to the important office of secretary of state. It was with a degree of hope, to which they have long been unaccustomed, that they flattered themselves foreign business would now be no longer neglected. They had reason to expect much from a man to whom nature had been lavish, and whose natural talents, great as they were, must have been considerably augmented by a long residence and a constant attention to business in courts, which are perhaps superior to all others in the arts and mysteries of negotiation. It was now that they felt themselves secure in the assurance that the correspondences with the courts of Paris, Ma-

drid, and Turin were to be carried on by a man above all others qualified for so arduous a task; by a man who had gained great reputation as an ambassador in each of them.

It was in vain that the enemies to administration endeavoured to suggest that that nobleman was not singled out on account of his superior abilities, but on account of his neutrality and non-attachment to any particular men or measures; it was in vain that they represented his nomination as a mere act of necessity, resulting from the incapacity of the leaders to promote any other without widening their bottom, which was a measure that, above all others, they most apprehended.

These suggestions had little or no effect; they were either totally disbelieved or disregarded; the consequence was good, and the public were not at all curious to know the cause; their joy, that such a measure was to take place, was only equalled by their surprise; and as their joy proceeded from a reflection of the past, as it related to Lord Rochford, they were inattentive to the present, as it related to others.

What pity it is that they were so soon disappointed, and that a joy so well founded was destined to be of so short a duration. In proportion as they were elevated with the hopes of his being taken into office, so are they dejected

by the manner of his appointment. The course and order of business appears to have been violated, and that vacancy, to which his lordship ought to have succeeded, and which he was so well qualified to fill, has been suffered to be possessed by another altogether a stranger to the principal wheels of those machines, which it becomes his duty to regulate; and the abilities of the earl have been as far as possible thwarted by his being plunged into a correspondence with courts, of whose maxims and interests he is no better qualified to judge than any other of his Majesty's servants who would make use of as much attention, and who may be happily endowed with as much penetration *. It is now then that the public have both cause and inclination to ask a question, which they before thought useless and impertinent: it is now that with horror they reflect on the intelligence communicated by your correspondent *Atticus* *; it is now that they tremble at the thoughts of a secret negotiation with the French court in relation to Corsica; and it is now that they ask, Why was Lord Rochford appointed secretary of state, and for the northern department †?

WHY?

* See the preceding letter. EDIT.

† See this subject further discussed in JUNIUS, letter I. Vol. I. p. 57. EDIT.

LETTER L.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 27 *October*, 1768.

When an anonymous writer tells the public, that a great minister, who happens to be his particular friend, has given him assurances of any sort, with regard to state affairs, the authority is doubly suspicious. In the first place, that such writers should have such friends is not, in the highest degree, probable. In the next, it is much to be doubted, whether ministers of state always tell the truth even to their most intimate acquaintance. I take for granted, the author of the letter, signed *Plain Truth and Justice**, is a modest man, since he expects an implicit reliance on the bare assertion of a person entirely unknown to us. But I fear he will find himself a little disappointed, for the public is not to be imposed upon by such gross artifices. The letters, in which your correspondent *Atticus* had foretold the decline of public credit, seemed to rest upon a very different footing.

* He alludes to a correspondent in the Public Advertiser, who had replied to his former letter under this signature. EDIT.

He made no assertions of his own, because he neither required nor expected any reliance on his personal credit or authority. He stated facts too notorious to be disputed, and he reasoned upon them in a way, which there has yet been no attempt to answer. This is the fair ground on which his opponents ought to meet him. Vague assertions have no claim to credit, and, if they had, would amount to no proof. What ministers are pleased to say, or what their friends say for them, is but of little moment. A man, who in the present crisis would direct his conduct upon sure grounds, ought to examine the real state of public affairs, and, according as he finds them, act with prudence for himself and his family. I know that an artful combination in the alley, may, for a short time, raise or sink the price of stocks a trifle. But no arts, no combination can support them against the reality of national distress. The maxim holds through life. A beggar may cut a figure for a day, but his ruin is inevitable, and his creditors perish with him.

Your correspondent assures us that no money will be wanted for the ensuing year. With all due respect to an anonymous assertion, I should be glad to know by what sort of reasoning he would support it. Do the ministry mean to leave the debt on the civil list unpaid?

I will tell him, that they cannot, dare not do it. This debt amounts to above six hundred thousand pounds, and if they can pay it without money, so much the better.—Have they made any agreement with the East-India Company? No—Have they made any provision for outstanding navy and victualling bills? I answer, they must whether they will or no.—Have the Bank agreed to continue creditors for the last million they advanced to government? I answer, that the Bank have no confidence in the present administration, and will not trust them. As to taking the four per cents. entirely out of the market, Mr. Grenville, or an able financier, who possessed the confidence of the public, might perhaps accomplish it, but it is not an object within the reach of the present treasury board. They talk of it in their dreams, and forget it when they wake*.

These, Sir, are considerations independent of a war which hangs over us, and of a contest with the colonies, which in no way can end favourably for this country. As to moderate qualifying measures, I know but one which the Americans will accept of, and that is an absolute release from all subjection. They will re-

* See JUNIUS, letter XXXIX. in which the failure of Lord North to effect this object is censured by the author, and explained in a note appended to it. EDIT.

ject with disdain an offer to be represented in parliament, because they *will* be independent. They found the effect of their last combination, and when they demand a repeal of an act of the legislature, it must be done without conditions. But, in the name of common sense, what useful purpose will our submission answer? Upon the repeal of the stamp act, our exports to America, instead of doubling, as had been promised, diminished considerably. What are we doing then, but surrendering the first essential rights and principles of the constitution for the sake of a bribe, of which we are cheated at last?—We may retire to our prayers, for the game is up.

BRUTUS.

LETTER LI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 14 *November*, 1768.

When I foretold the approach of a foreign war, the certainty of a rupture with the colonies, and the decline of public credit, my opinion was chiefly founded on the character, circumstances, and abilities of the present administration. Fortune has but little share in the events most interesting to mankind. Indi-

viduals perish by their own imprudence, and the ruin of an empire is no more than the misconduct of a minister or a king. Without the credit of personal reputation, divided as a ministry, and unsupported by talents or experience, his Majesty's servants had left the field of national calamity wide open to prediction. It seems they were determined to accomplish more than even their enemies had foretold. For my own part, I am not personally their enemy, and I could have wished that their conduct had not made the name of friend to the ministry irreconcileable with that of friend to Great Britain.

The most contemptible character in private life, and the most ruinous to private fortunes, is that which possesses neither judgment nor inclination to do right, nor resolution enough to be consistent in doing wrong. Such a man loses all the credit of firmness, and uniformity, and suffers the whole reproach of weak or malicious intentions. In politics, there is no other ministerial character so pernicious to the honour of a prince, or so fatal to the welfare of a nation. It is of the highest importance to enquire, whether the present ministry deserve it.

The name of Lord Chatham's administration was soon lost in that of the Duke of Grafton. His grace took the lead, and made himself answerable for the measures of a council, at which

he was supposed to preside. He had gone as far as any man in support of Mr. Pitt's doctrine, *That parliament had no right to lay a tax upon America, for the sole purpose of raising a revenue.* It was a doctrine on which Lord Chatham and the chancellor * formed their administration, and his grace had concurred in it *with all his sincerity.* Yet the first act of his own administration was to impose that tax upon America, which has since thrown the whole continent into a flame. A wise man would have let the question drop; a good man would have felt and adhered to the principles he professed. While the gentle Conway breathed into his ear, he was all lenity and moderation. The colonies were dutiful children, and Great Britain a severe parent. A combination to ruin this country was no more than an amicable agreement, and rebellion was a natural right confirmed by the revolution. But now it seems his grace's opinions are altered with his connections. *The measures of the colonies are subversive of the constitution; they manifest a disposition to throw off their dependance*, and vigorous measures must be enforced at the point of the sword. In vain may we look for the temper and firmness of a great minister;—we shall find nothing but the

* Lord Camden. EDIT.

passion or weakness of a boy;—the enervated languor of a consumption, or the false strength of a delirium.

The same inconsistency will be found to prevail through every measure and operation of government. Perhaps there may be discovered something more than supineness in the first neglect of Corsica, and something worse than inconsistency in the contradiction given to Lord Rochford's spirited declaration to the court of France*. His grace has lately adopted the opposite extreme, and scruples not to give an alarming shock to public credit, by hints little short of a declaration of war. What is this but the undetermined timidity of a coward, who trembles on the brink, until he plunges headlong into the stream?

In one gazette we see Sir Jeffery Amherst dismissed; in the very next, we see him restored, and both without reason or decency. The peerage, which had been absolutely refused, is granted, and as in the first instance the royal faith was violated, in the second the royal dignity is betrayed. But this perhaps is a compliment to the duke's new friendship with the Earl of Hillsborough.

Without approving of Mr. Wilkes's conduct,

* See JUNIUS, letter XII. Vol. I. p. 149. EDIT.

I lament his fate. The Duke of Grafton, who contributed to his support abroad, has given the mandate for his expulsion. But I trust there is yet a spirit, which will not obey such mandates. This honourable enterprize will probably be defeated, and leave the author of it nothing but a distinguished excess of infamy, the last consolation of a profligate mind.

Is it possible, Sir, that such a ministry can long remain united, or support themselves if they were united? The Duke of Grafton, it is true, has no scruple nor delicacy in the choice of his measures. They are the measures of the day, and vary as often as the weather. But his companions had each their separate plan, to which, for the credit of government, and the benefit of this country, they have severally adhered. . The intrepid thoughtless spirit of the commander in chief looks no farther than to the disposal of commissions. He is the friend and patron of the military. With this character he suffers the army to be robbed of a regiment, by way of pension to the noble disinterested house of Percy; and Sir Jeffery Amherst to be sacrificed without pretending to the credit of restoring him*. His lordship's conduct perplexes me. I am at a loss which to admire

* See JUNIUS, letter III. Vol. I. p. 74. EDIT.

most; the penetrating sagacity, with which he understands the rights of the army, or the firmness with which he defends them.

When an ungracious act was to be done, the Earl of Hillsborough was chosen for the instrument of it. He deserved, since he submitted to bear, the whole reproach of Sir Jeffery Amherst's dismission. The gallant knight obtains his price, and the noble earl, with whatever appetite, must meet him, with a smile of congratulation, and *dear Sir Jeffery, I most cordially wish you joy!* After all, it must be confessed, there are some mortifications which might touch even the callous spirit of a courtier.

The chancellor of the exchequer has many deficiencies to make good besides those of land and malt; and to say the truth, he has a gallant way of doing it. He gallops bravely through thick and thin, as the court directs, and I dare say would defend even an honest cause with as much zeal and eloquence, as if he were ordered to shew his parts upon *nullum tempus* *, or a Cumberland election.

It would be unjust to the Duke of Bedford's friends to attribute their conduct to any but the motives which they themselves profess. Mr. Rigby is so modest a man, that the impu-

* See JUNIUS, letter LVII. Vol. I. p. 329. and editor's note to Miscellaneous Letter, No. III. EDIT.

tation of public virtue, or private good faith, would offend his delicacy, if he did not feel, as he certainly does, the genuine emotions of patriotism and friendship warm in his breast. They argued not ill for ambition, while they asked for nothing but profit; and when the Duke of Grafton has exhausted the treasury, he will find that every other power departs with the power of giving.

In this and my former letters I have presented to you, with plainness and sincerity, the melancholy condition to which we are reduced. The characters of a weak and worthless ministry would hardly deserve the attention of history, but that they are fatally united, and must be recorded with the misfortunes of their country.

If there be yet a spark of virtue left among us, this great nation shall not be sacrificed to the fluctuating interests or wayward passions of a minister, nor even to the caprices of a monarch. If there be no virtue left, it is no matter who are ministers, nor how soon they accomplish our destruction.

ATTICUS.

LETTER LII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 21 *November*, 1768.

It will soon be decided by the highest authority whether the justice of our laws, and the liberty of our constitution, have been essentially violated in the person of Mr. Wilkes*. As a public man, his fate will be determined, nor is it safe or necessary at present to enter into the merits of his cause. We are interested in this question no farther than as he is a part of a well-regulated society. If a member of it be injured, the laws and constitution will defend him. But where is the law to enforce the engagements of private faith, or to punish the breach of them? Where shall *he* apply for redress, with whom all ties of honour, professions of friendship, and obligations of party have been violated or betrayed? A man so injured has no redress or consolation, but what he finds in the resentment and generous sympathy of mankind.

The violation of party faith is of itself too common to excite surprize or indignation. Political friendships are so well understood, that

* Upon the issue of the General Warrant. EDIT.

we can hardly pity the simplicity they deceive; and if Mr. Wilkes had only been deserted, he would but have given us one example more of the folly of relying on such engagements. But his, I conceive, is a singular situation. There is scarce an instance of party merit so great as his, or so ill rewarded. Other men have been abandoned by their friends:—Mr. Wilkes alone is oppressed by them. One would think that the first lord of the treasury * and the chancellor † might have been contented with forgetting the man, to whom they principally owed their elevation;—but hearts like theirs are not so easily satisfied. They left him unsupported, when they ceased to want his assistance, and, to cover the reproach of passive ingratitude, they pursue him to destruction. The bounds of human science are still unknown, but this assuredly is the last limit of human depravity. Notorious facts speak for themselves, and in this case, an honest man will want no spur to rouse his indignation. Men of a different character would do well to consider what their security is with a minister, who breaks without scruple through all engagements of party, and is weak enough to set all public shame at defiance. There is a firmness of character, which

* The Duke of Grafton. EDIT.

† Lord Camden. EDIT.

will support a minister, even against his vices; but where is the dependance of his friends, when they have no hold either on his heart or his understanding? Detested by the better part of mankind, he will soon be suspected by the worst, for no man relies securely on another, whom he thinks less honest and less wise than himself.

In the present instance the Duke of Grafton may possibly find that he has played a foolish game. He rose by Mr. Wilkes's popularity, and it is not improbable that he may fall by it.

JUNIUS.

LETTER LIII.

For the Public Advertiser.

15 *December*, 1768.

TO THE RIGHT HON. GEORGE GRENVILLE.

SIR,

If there be any thing improper in this address, the singularity of your present situation will, I hope, excuse it. Your conduct attracts the attention, because it is highly interesting to the welfare of the public, and a private man, who only expresses what thousands think, cannot well be accused of flattery or de-

traction. If we may judge by what passes every day in a great assembly, you already possess all the constituent parts of a minister, except the honour of distributing, or the emolument of receiving the public money. These, in the contemplation of the present ministry, are the most essential ornaments of office. They are the *decus et tutamen* of a respectable administration, and the last that a prudent administration will relinquish. As for the authority, the credit, or the business of their offices, they are ready to resign them to you without reluctance. With regard to their appearance and behaviour within doors, these docile creatures find a relief in *your* understanding from the burthen of thinking, and in *your* direction from the labour of acting. This, however, is no more than the natural precedence of superior abilities and knowledge. Folly cannot long take the *pas* of wisdom, and ignorance sooner or later must submit to experience. Yet, considering what sort of heads you have to deal with, the task of giving them instruction must be a heavy one. The triumph is hardly equal to the labour which attends it. To convey instruction into heads, which perceive nothing, is as hard a task as to instil sentiments into hearts that feel nothing. In both these articles, I think, his Majesty's

present servants are invulnerable. They are of so strange a composition, that knowledge will neither penetrate the substance, nor shame stick upon the surface. They have one short remedy for every inconvenience, a remedy which tyrants make use of, and fools profess, without scruple or management. Force is their grand *arcanum imperii*. If this be the *executive* power of the crown, they possess and exert it to a miracle. Red and brown makes all the difference. To Southwark the guards are detached in their uniforms;—to Brentford they march like gentlemen, with orders to change their colours in the blood of this country. This, Sir, is the last irresistible argument of kings;—the only one which your abilities cannot answer, nor your integrity oppose with effect. In vain shall you demand an account of the most flagrant waste of public money. The ministry are sure of being protected by ruffians who received it. The murder of his Majesty's English subjects calls aloud, but calls in vain, for justice. To complain is dangerous, to prosecute might be fatal. We are arrived at that dreadful crisis, at which open murders may well be succeeded by secret assassination. May heaven avert the omen!

Your weight and authority in parliament

are acknowledged by the submission of your opponents. Your credit with the public is equally extensive and secure, because it is founded on a system of conduct wisely adopted and firmly maintained. You have invariably adhered to one cause, one language, and when your friends deserted that cause they deserted you. They who dispute the rectitude of your opinions, admit that your conduct has been uniform, manly, and consistent. This letter, I doubt not, will be attributed to some party friend, by men who expect no applause but from their dependants. But you, Sir, have the testimony of your enemies in your favour. After years of opposition, we see them revert to those very measures, with violence, with hazard and disgrace, which in the first instance, might have been conducted with ease, with dignity and moderation.

While parliament preserves its constitutional authority, you will preserve yours. As long as there is a real representation of the people, you will be heard in that great assembly with attention, deference, and respect, and if fatally for England, the designs of the present ministry should at last succeed, you will have the consolation to reflect that your voice was heard, until the voice of truth and reason was drowned in the din of arms; and that your influence in

parliament was irresistible until every question was decided by the sword *.

* The warm attachment of JUNIUS to every part of the conduct of this distinguished statesman, may perhaps be conceived to import something more than a mere political concurrence of sentiment, and to indicate an ardent personal friendship. The editor has found it necessary to glance at such an idea on several former occasions. Yet for the honour of JUNIUS, it ought to be observed, that there were few political characters of the day, who were more entitled to his panegyric. Upon which subject the reader will not be displeased at being presented with the following brief sketch of Mr. Grenville's character from the pen of a gentleman to whom these notes have been already indebted, and who had repeated opportunities of forming a correct estimate of his worth. It is extracted from the second volume of Mr. Knox's Extra Official State Papers, from which a letter written by Mr. Grenville, on the subject of American politics, has been selected in note to Miscellaneous Letters No. XXXI. The anecdote respecting Florida and Louisiana is infinitely creditable to his "shrewd inflexible judgment" as a statesman, and his conduct as a minster is in many respects not unworthy the imitation of those who hold the same dignified situations in the present day.

"Mr. Grenville under a manner rather austere and forbidding, covered a heart as feeling and tender as any man ever possessed. He liked office as well for its emoluments as its power; but in his attention to himself he never failed to pay regard to the situations and circumstances of his friends, though to neither would he warp the public interest or service in the smallest degree; rigid in his opinions of public justice and integrity, and firm to inflexibility in the construction of his mind, he reprobated every suggestion of the political expediency of overlooking frauds or evasions in the pay-

LETTER LIV.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

MR. WOODFALL, 12 *April*, 1769.

THE monody on the supposed death of JUNIUS is not the less poetical for being

payment or collection of the revenue, or of waste and extravagance in its expenditure. But although he would not bend any measure out of the strict line of rectitude to gain popularity, he was far from being indifferent to the good or ill opinion of the public; and that tediousness and repetition which his speeches in parliament, and his transactions with men of business were charged with, were occasioned by the earnestness of his desire to satisfy and convince those he addressed of the purity of his motives and the propriety of his conduct; and while there remained a single reason in his own mind, that he thought would serve those purposes, he could not be content to rest upon those he had already adduced, however convinced and satisfied his hearers appeared to be with them.

" Inheriting but a small patrimonial fortune, he had early accustomed himself to a strict appropriation of his income, and an exact œconomy in its expenditure, as the only sure ground on which to build a reputation for public and private integrity, and to support a dignified independency; and it was the unvaried practice of his life in all situations, as he has often told me, to live upon his own private fortune, and save the emoluments of whatever office he possessed; on which account he added: ' The being in or out makes no difference in my establishment or manner of life. Every thing goes on at home in the same way. The only difference is, that my childrens fortunes would be increased by my being

founded on a fiction. In some parts of it there

being in, beyond what they would be if I remained out, and that is being as little dependant upon office as any man who was not born to a great estate can possibly be;' and he manifested that independence at a time and in a manner but little known, and as the relation can now do no harm, I shall repeat the account he gave me of it. He had accepted the seals of one of the secretaries of state in Lord Bute's administration, and by so doing drew upon himself the resentment and abuse of the then popular party and of some of his own nearest relations; his return, therefore, to them, was rendered impracticable upon any occasion, and he had every motive to induce him to remain with his present connection. Notwithstanding which, he very soon hazarded his continuance in office in support of his opinion, of what ought to be done for the advantage of the public, on the following occasion:

"While the peace was negotiating, the expedition against the Havannah was carrying on, and as the chance of its success or failure was not very unequal, the negotiators agreed to leave it out in their *uti possidetis*, considering the event as perfectly neutral; so that if after the preliminaries were signed, it was found to be taken, it was to be restored without compensation. Before the preliminaries were signed, however, the account of its capture was received, and Mr. Grenville immediately proposed that it should now be included in the *uti possidetis*, and compensation for it insisted upon, for as the event was decided before the preliminaries were signed, either party was at liberty to avail themselves of it. Lord Bute thought the treaty was too far advanced to make any advantage of the event being in our favour, and he feared that our making any fresh demand, would not only protract but break off the negotiation, and prevent the peace taking place immediately, which he thought so necessary for the

is a promise of genius which deserves to be

the nation. Mr. Grenville was clear in his opinion of our right to make the demand, and firm in insisting that it should be made, and proposed two alternatives for consideration. The one, that if we judged it best to get the intire possession of the continent of North America, France having already agreed to cede all Canada, that we should insist upon Florida and Louisiana: the other, that if we thought it necessary to increase our possessions in the West Indies, beyond the three neutral islands, which France had also agreed to give us, we should ask Porto Rico, and the property of what we held upon the Spanish main; and he left the earl with declaring that he would resign the seals, if one of those alternatives was not adopted and insisted upon. After consulting with Mr. Fox and Lord Egremont, Lord Bute agreed to make the demand of Florida and Louisiana, and instructions to that purpose were immediately dispatched to the Duke of Bedford, who made so able and strenuous an application in consequence of them, that the Duke de Choiseul not only consented to cede Louisiana, but obliged the Spanish minister to cede Florida also, without sending to his Court for fresh orders, and the preliminaries were not delayed more than a fortnight by the demand and acquisition of that immense territory."

Mr. Grenville, shortly previous to his death, introduced the act for determining controverted elections, from a thorough conviction, as he declared to Mr. Knox, "that the ruin of public liberty must ensue, unless some check was given to the abominable prostitution of the House of Commons in elections, by voting in whoever has the support of the minister." The good effects of this excellent act is on all sides the theme of praise so often as a controversy occasions the necessity for an appeal to its decision, the impartiality of which has hitherto never been disputed. EDIT.

encouraged *. My letter of Monday will, I

* These verses were written by the present Sir John Macpherson, formerly governor-general of India. He was the author of several letters in answer to JUNIUS, under the signature of *Poetikastos*. The lines here referred to were as follow.

A MONODY;

OR THE TEARS OF SEDITION ON THE DEATH OF JUNIUS.

Quis tibi Silure furor?

AND are those periods fill'd with tuneful care,
Those thoughts which gleam'd with Ciceronian ore,
Are they, my JUNIUS, pass'd like vulgar air,
Droop'd is thy plume, to rise on fame no more?

Thy plume!—it was the harp of song in prose:
Oft have its numbers sooth'd the felon's ear,
Oft to its tune my Wilkite heroes rose
With couch'd tobacco pipes in act to spear.

Where now shall stormy Clodius and his crew,
My dear assembly to the midnight hour,
Ah! where acquire a trumpeter!—since you
No more shall rouze them with thy classic power.

Accurs'd Silurus! blasted be thy wing!
That grey Scotch wing which led the unerring dart!
In virtue's cause could all that's satire sting
A bosom with corruption's poison fraught?

Impossible!—then hear me, Fiends of H—ll,
This dark event, this mystery unfold;
Poison'd was JUNIUS? No; "Alas, he fell
"Midst arrows dipp'd in ministerial gold."

Then

hope, convince the author that I am neither

Then hear me, rioters, of my command,
Condemn the villain to a traitor's doom;
Let none but faithful knaves adorn my band;
Go, sink this character into his tomb.

Here sunk an essayist of dubious name,
Whose tinsel'd page on airy cadence run,
Friendless, with party—noted, without fame,
Virtue and vice disclaim'd him as a son.

POETIKASTOS.

Clodius and Silurus, mentioned in the above lines, were at this time frequent writers in the Public Advertiser; the former against administration, the latter in favour of it. Silurus, assuming a personal knowledge of the writer of the Letters of JUNIUS, thus describes him.

"I know JUNIUS, and I am not surprized that he calls aloud for blood. Bred among the dregs of mankind, he imbibed their vices, and acquired that hardness of heart which is usually produced by crimes. Possessed of some ambition, versed in the low arts of adulation, he wrought himself into the confidence of the vain by unmanly flattery, and rose from obscurity by means which dishonoured his patrons. Smooth in his language, he gained the ear without persuading the heart; and by the help of a good memory, some anecdotes, and trite observations, acquired the reputation of a genius among some slight characters in the literary world. Dark, cunning, deceitfully self-denied, he covered himself with such an appearance of openness and candour, that even some judges of human nature thought him honest, many believed him honourable, few suspected the soundness of his head, none the goodness of his heart.

"Such was JUNIUS before public business called forth the latent and deformed features of his mind: the real man

stood

a partisan of Mr. Wilkes, nor yet bought off by the ministry*. It is true I have refused offers, which a more prudent or a more interested man would have accepted. Whether it be simplicity or virtue in me I can only affirm that I *am in earnest*†; because I am convinced, as far as my understanding is capable of judging, that the present ministry are driving this country to destruction; and you, I think, Sir, may be satisfied that my rank and fortune place me above a common bribe.

JUNIUS.

stood then confessed; his speciousness was found to be a mask for hypocrisy; his candour a veil for deceit; his learning discovered to be mere plagiarism; his boasted parts to consist altogether in memory. The flimsy affected, though unaffecting, superficialness of his private discourse was soon traced in the hollow and round periods of his public declamations. Detestation took the place of esteem in the minds of many, hatred took possession of a few, and a contempt for him of all. Detected, detested, despised, in his *real* character, he now assumes a *fictitious* name, for JUNIUS cannot deceive, but where he is unknown.

27 *March*, 1769. SILURUS."

* To the Duke of Grafton. JUNIUS, Letter IX. EDIT.

† See Private Letters, No. 63. EDIT.

PUBLIC LIBRARY.
BURNLEY.

LETTER LV.

TO THE RIGHT HONOURABLE THE MARQUIS OF GRANBY.

MY LORD, 6 *May*, 1769.

You were once the favourite of the public. As a brave man you were admired by the army, as a generous man you were beloved. The scene is altered, and even your immediate dependants, who have profited most by your good-nature, cannot conceal from you how much you have lost both in the affections of your fellow-soldiers, and the esteem of your country. Your character once spotless, once irreproachable, has been drawn into a public question; attacked with severity, defended with imprudence, and, like the seat of war, ruined by the contention. Profligate as we are, the virtues of the heart are still so much respected, that even the errors and simplicity of a good man are sacred against censure and derision. To a man of your lordship's high rank and fortune, is there any thing in the smiles of a court that can balance the loss of that affection (for surely it was something more cordial than esteem) with which you were universally received upon your return from Germany? You were then an independent gallant

soldier. As far as you thought proper to mix in politics you were the friend and patron of the people. Believe me, my lord, the highest rate of abilities could never have given you a more honourable station. From the moment you quitted that line, you have perhaps been better able to gratify some interested favourites, but you have disgraced yourself, and, to a man of your quality, disgrace is ruin.

You are now in the lowest rank of ministerial dependants. Your vote is as secure to administration as if you were a lord of trade, or a vice-treasurer of Ireland, and even Conway at your lordship's expense has mended his reputation. I will not enter into a detail of your past conduct. Your have enemies enough already, and I would not wish you to despair of recovering the public esteem. An opportunity will soon present itself. The people of England are good-natured enough to make allowances for your mistakes, and to give you credit for correcting them. One short question will determine your character for ever. Does it become the name and dignity of Manners to place yourself upon a level with the venal tribe who vote as they are directed, and to declare upon your honour, in the face of your country, that Mr. Luttrell is or ought to be the sitting member for the county of Mid-

dlesex*? I appeal, *bona fide*, to your integrity as an honest man, I even appeal to your understanding.

YOUR REAL FRIEND.

LETTER LVI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 6 *June*, 1769.

I WISH the Duke of Grafton had thought proper to take the opinion of our gracious queen's solicitor-general† before he pardoned Macquirk. That worthy lawyer is never at cross purposes with himself, and I dare say would have maintained the same doctrine in his closet which he has delivered for the instruction of the public. He says in his last volume, page 12, " that the pains of death ought never to be inflicted, but when the offender appears *incorrigible:* which may be collected either from a repetition of minuter offences, or from the perpetration of some one crime of deep malignity, which of itself demonstrates a disposi-

* For an explanation of the subject here alluded to, see Private Letters, No. 2. EDIT.

† Sir William Blackstone. For the detail of Macquirk's crime and pardon, see JUNIUS's Letters, No. VIII. Vol. I. p. 111. EDIT.

tion without hope or probability of amendment; and in such cases it would be cruelty to the public to defer the punishment of such a criminal, till he had an opportunity of repeating perhaps the worst of villanies."

What would this most respectable of all possible lawyers have thought of granting a pardon to a culprit, who had not only been convicted of a repetition of offences, and those not minute but atrocious, but who had actually committed murder? He certainly would have called it something more than cruelty to the public. His knowledge of the laws would have told him that the purpose for which this villain was employed by the ministry, was treason against the constitution*; that it was the highest aggravation of the crimes he committed in prosecution of it;—that murder, simply considered, is only an injury to the individual who suffers; or in the most enlarged sense, to society, in the loss of one of its members;—but that when it is connected with, and founded on, the idea of destroying the constitution of the state (which as far as Mr. Macquirk's labours could be supposed to operate was certainly the case), it then comprehends every quality, which can make an offence of this sort criminal in the eye of the

* In reference to Sir W. Blackstone's opinion relating to the Middlesex election. See JUNIUS, No. XVIII. Vol. I. p. 191. EDIT.

law;—the injury to the individual;—a breach of the public peace and security in a civil light;—and a violation of that political system, on which the liberty and happiness of the community depend. Mr. Blackstone would have told the fiery duke, that to pardon such an offender would not only be a most scandalous evasion of law and justice, but the grossest insult to the common understanding of the nation.

His grace must then have applied to some lawyer of a more flexible character. There is a man, for instance, who seems to have hoarded up a treasure of reputation, not to last him through life, but to squander away at one moment, with a foolish indecent prodigality;—who is not ashamed to maintain an oral doctrine directly opposite to that which he had written, nor to deceive the representative after instructing the collective body of the nation. This man would willingly have accommodated his authority to the purposes of administration; and as for himself, he could suffer no loss, for which the vanity of an author would not have sufficiently consoled him. The respect due to his writings will probably increase with the contempt due to his character, and his works will be quoted, when he himself is forgotten or despised.

SIMPLEX.

LETTER LVII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 10 *June*, 1769.

I AM an old reader of political controversy. I remember the great Walpolean battles; and am not a little diverted with the combats of party at this time. They are still carried on with ability and vigour. Long habit has taught me to pass by all the declamation with which the champions parade. I look upon it as no better than those flourishes of the back sword with which the great masters of my time in the amphitheatre entertained the spectators, merely to shew their dexterity, but which made no part of the real engagement. I regard as nothing the trappings of panegyric with which they decorate their friends. I entirely overlook the dirt with which they so very liberally bespatter their enemies. Whenever a *fact* is touched upon, there I fix. When a *distinct charge* is made upon a minister I look for a *distinct and particular answer*, that *denies*, or *admitting*, explains, or in some favourable manner *accounts* for the *fact* charged. If instead of this I find nothing more than a long paper, in which the author of the charge is called a thousand names, and the person accused is lifted up to

the skies as a miracle of ability and virtue, I am obliged, as an equitable judge, to consider the cause not as defended, but as utterly abandoned; and the court must enter an admission by his own advocates of the charge against him.

The conduct and character of the Duke of Grafton have been for some time the object of controversy. In what manner have they been attacked and defended? Take as a specimen the controversy of the last week. JUNIUS, whom the ministerial writers appear very much to dread, and affect very much to despise, has made several particular charges upon his grace. In one column I will state the charges, in the other the reader will see the answers, and he will thereby be the better enabled to judge of the spirit in which this dispute is carried on.

JUNIUS's *charges*.

First fact.

That Lord Chatham was the first object of the Duke of Grafton's political attachment; yet he deserted him and entered with Lord Rockingham into an administration in which

Answer.

The wicked for the sake of mischief approve of your bold falsehoods, and the envious love a strain of defamation, which brings down to their own mean level the

Lord Chatham refused to engage.

Second fact.

After uniting with Lord Rockingham, the Duke of Grafton deserted and betrayed him.

Third fact.

That, after entering again into administration with Lord Chatham, the Duke of Grafton forced him (Lord Chatham) to withdraw his name from it.

Fourth fact.

That the Duke of Grafton is chargeable

most worthy and most exalted characters in the nation.

Answer.

To retaliate upon you the abuse which you have presumed to throw upon the Duke of Grafton would be raising you into a consequence, to which the meanness of your birth, the depravity of your heart, and the unsoundness of your head, can never have any title.

Answer.

By specious conversation you imposed upon the weak, by open and impudent flattery you gained the confidence of the vain, and you won the favour of the proud by mean unmanly sycophancy.

Answer.

Void as you are of every sense of shame,

with great inconsistencies with himself in the frequent variations in his opinions and conduct with regard to America, according to the various changes he has made in his connections.

Fifth fact.

The Duke of Grafton had been the friend of Mr. Wilkes, and is become his persecutor.

can you without a blush (but a blush seldom tinges those happy countenances which have been bathed in the Liffy), can you recommend to the people of England, as ministers, men, whose weakness or villainy they have already experienced in office.

Answer.

The abilities, the integrity, the dignity of mind, as well as the nobility of family which distinguish the Duke of Grafton, have rendered him superior to your abuse.

The above charges are, with several others, to be found in the last letter of JUNIUS. The ministerial advocate, *Anti Malagrida* *, has since addressed a letter to him, in which the above paragraphs, in the second column, are

* A writer in the Public Advertiser in favour of administration, but whose letters do not appear to have merit enough to entitle them to be reprinted. EDIT.

the only answers which I could discover. The same charges had been made by JUNIUS and others several times before. Always the same reply. JUNIUS, and many others say (and I fancy they speak the sense of the nation), that the Duke of Grafton imposes upon his sovereign, betrays his connections, persecutes the man who was his friend, idly irritates the colonies, wickedly alienates their affections from their mother country, invades the liberties of the people, abuses the prerogative of the crown, and has actually subverted the constitution: and when JUNIUS civilly asks the reason of all this—Sir (says he) you are a rascal.

Now, Mr. Woodfall, I shall make but one reflection, and that I shall borrow from Sir John Brute:—"This may be a very good answer for aught I know at cross-purposes, but it is a damned whimsical one to a people in our circumstances."

Yours, &c.

AMICUS CURIÆ.

LETTER LVIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

MR. WOODFALL, *5 September*, 1769.

AMIDST the great number of correspondents who have raised *your* paper to a

superiority over the rest, I don't remember to have observed lately any of the *female* sex. To a woman of spirit, the most intolerable of all grievances is a restraint on the liberty of the tongue. I can't bear to see the men have it all to themselves; and shall certainly burst, if I am not permitted to put in a word. Much has been said of late about grievances and apprehensions, instructions and petitions, elections and expulsions. Now, Sir, I want to enter the list with one of the most celebrated of your political correspondents: here I throw down my glove, and am in hopes it will be taken up by—JUNIUS. Some people perhaps may blame me for meddling with politics, a science fit only for the men; but JUNIUS has no right to find fault, for JUNIUS has been the aggressor, by making such frequent incursions into SCANDAL the natural province of the women.

However, I will do your correspondent JUNIUS the justice to say, that I think him a very fine writer, a great master of composition, and indeed, upon the whole, I have not seen a prettier fellow—upon paper. His former letters have consisted of general declamation or pointed personal abuse. In both of these he has proved himself an adept. There is a great deal of oratory in his declamations, though he is perhaps too flowery, and metaphorical, and

seems as fond of point and antithesis as any woman is of point lace and French silk. As to his personal attacks, they are irresistible; no character can stand before him;—he is the very butcher of a reputation. "Heaven preserve the characters of all my tribe from JUNIUS!" In the art of *exaggeration* he has no equal; molehills he magnifies into mountains, and views your *smallest peccadillo* through a *double microscope*. Should there be the least spot or speck on your reputation JUNIUS can spread it out (with the help of a few drops of ink), till it covers you all over, and makes you as black as a fiend; in short JUNIUS is chief japanner, or calumniator-general to the opposition: he is employed to besmear the *ministry* with his very best liquid blacking, and when he has written them out of office, he will no doubt change his colours, take a different brush, and white-wash their successors. I wish he may make as distinguished a figure in the sweet work of panegyric as he has done in the painful task of calumny and detraction!

But of all kinds of abuse *private* SCANDAL seems to be his *favourite* morsel; JUNIUS lays hold of a scandalous anecdote with as much keenness as a *spider* seizes an unfortunate fly; he crawls forth from the dark hole where he lay concealed; how eagerly he clutches it;

with what a malicious pleasure he drags it along; his eyes gloat upon it with cruel delight; he winds it round and round with his *cobweb* rhetoric, and sucks the very heart's blood of family peace!

Various have been the conjectures formed on the question—"Who is this JUNIUS?" I have heard at least twenty persons named whom suspicion points the finger at; nay, I have been assured at different times that each of them was the author in question. They could not *all* be the writer; perhaps none of them is.—But in spite of all the curiosity which is imputed to our sex I declare sincerely, that I would not give a pin for the secret. 'Tis indifferent to me who the man is; and whether he was first dipped in the Thames or the Tweed, the Liffy or the Shannon.

But though I can't tell who JUNIUS *is*, I will tell you what he is *like*. JUNIUS is like a racer in the field of politics who walks over the course *alone;* no one venturing to start against him. I have for some time had a violent inclination to enter at the post, although I am sensible the odds at starting would be greatly against the filly; but for all that perhaps I should be up with him at the *long run*. But I have run out my simile, and therefore must beg leave to take a fresh one. *Your*

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paper, Mr. Woodfall, is become the grand political cockpit, and JUNIUS struts about in it like a cock whom nobody can match; suppose that I were pitted against him; how do you think the bets would go? And what are the odds that he does not come off HEN-PECKED? If I should happen to get the better of him it will be as much a matter of public wonder as the late affair of the hen in Scotland-yard, who "attacked a prodigious large rat that was carrying off one of her chickens, and after fighting a considerable time *killed the rat* to the great joy and surprize of the spectators." And besides how great will be the honour accruing to our sex from such a victory! It will be recorded amongst the most famous exploits in the annals of female prowess; and I shall be ranked with the most renowned heroines of antiquity, Thomyris and Semiramis, Judith and Deborah.

But perhaps the defeat of this political Holofernes may not be so very difficult; and indeed on a nearer view he does not appear half so formidable. When JUNIUS stalked upon the HEIGHTS of *declamation* he appeared of more than ordinary size, but now that he has descended to the *plain ground* of reason and argument he appears nearly on a level with common men. His letters on the Middlesex election are most sophistically dull, unless where he

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throws in some personalities by way of giving spirit and flavour to his political olio. However I don't believe that with all his sophistry he has made a single convert to his opinion. I fancy there is hardly one cool, moderate, impartial person in England who does not think that the House of Commons are the *only* judges of their own privileges; that no power on earth can force a member upon them, whom they have declared *incapable of being elected;* and that if any person under such known and declared incapacity happens to have the greatest number of votes, the candidate who has the next greatest number of legal votes must of course be the sitting member. This *opinion* seems to me to be perfectly agreeable to reason, to common sense, and the principles of the constitution, and (notwithstanding the *delusive* appearance of petitions obtained we all know how) I do verily believe it is the opinion of every candid, impartial, unprejudiced person in England; in short, of all those who are not the *tools of faction*, or the *dupes of party*.

I am, Sir,

Your humble servant,

JUNIA *.

* This letter was claimed, as the production of his own pen, by the late Mr. Caleb Whitefoord. EDIT.

LETTER LIX.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *7 September*, 1769.

I FIND myself unexpectedly married in the newspapers without my knowledge or consent. Since I am fated to be a husband, I hope at least the lady will perform the principal duty of a wife. Marriages, they say, are made in heaven, but they are consummated upon earth, and since *Junia* has adopted my name, she cannot, in common matrimonial decency, refuse to make me a tender of her person. Politics are too barren a subject for a new married couple. I should be glad to furnish her with one more fit for a lady to handle, and better suited to the natural dexterity of her sex. In short if *Junia* be young and handsome she will have no reason to complain of my method of conducting an argument. I abominate all tergiversation in discourse, and she may be assured that whatever I advance, whether it be weak or forcible, shall, at any rate, be directly in point. It is true I am a strenuous advocate for liberty and property, but when these rights are invaded by a pretty woman, I am neither able to defend my money nor my freedom. The divine right of beauty

is the only one an Englishman ought to acknowledge, and a pretty woman the only tyrant he is not authorised to resist.

JUNIUS *.

LETTER LX.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

MR. WOODFALL, 8 *Sept.* 1769.

It is hard to determine whether the actions of the present ministry more excite abhorrence and indignation, or the writings of their advocates contempt and ridicule: every action of the former is an invasion of our liberty or our property; every line wrote in their defence by the latter is an insult to our

* Junius repented that he had written this letter as soon as it had appeared. He regarded it as idle and improper; and it was on this occasion that he addressed to Mr. Woodfall the private note, No. 8. dated 10 Sept. 1769; in consequence of which the following observation appeared in the notice to correspondents in the Public Advertiser of 11 Sept.

"We have some reason to suspect that the last letter signed Junius, inserted in this paper of Thursday last, was not written by the real Junius, though we imagine it to have been sent by some one of his waggish friends, who has taken great pains to write in a manner similar to that of Junius, which observation escaped us at that time. The printer takes the liberty to hint that it will not do a second time." EDIT.

understanding, and a base mockery of our sufferings. I have never yet known a bad cause made better by a bad defence. I cannot conceive what induces his Grace of Grafton to employ such a set of wretches to laugh at us whilst we are burning at the stake to which he has tied us. It is as void of policy as it is full of inhumanity. Oppression is more easily borne than insult; and the Duke of Grafton, with his now directors, the Bloomsbury gang, may find that it is dangerous to despise those whom he has deeply injured. Why does he let loose upon us his troops of fools and madmen, and buffoons and bullies? He would do more wisely to employ them in their proper places, reserving them to excite the mirth, and add to the wit, urbanity, and elegance of the midnight festivity of his kindred and friends Weymouth, Gower, and Rigby at Bedford-house.

If the freeholders of this county, alarmed at the invasion of their last and dearest right, the freedom of election, beg in the humblest terms for redress, *Poetikastos* dances before them in a fool's coat, squirts dirty water in their faces, and then cries out to the great joy, and with the loud applause of the *gang*,—"You are redressed." To every other complaint, whether of the disgraces which we suffer abroad, or of the oppressions which we feel at home; whe-

ther the cry be for property ravished from us, for our liberties infringed, for the laws perverted, for the constitution overturned, we have much the same answer. *Silurus* is let loose from his cell to vent his madness, and cover us with his filth. *Pericles* * stands by him calling out rogue and scoundrel; and then with one voice the minister who employs, and the wretches who are employed, cry out,—"We have defeated them; they never dare appear again; we have hanged them up to public scorn; you are a coward, cries one; I will cudgel you, says another; I will lay you a bet of 14,000 guineas, bawls a third †."

Does the Duke of Grafton really think that such actions as his are sufficiently defended by such arguments as these? Are those the lawyers whom he has retained against that dreadful day—for that day will come—when a brave, a

* *Poetikastos*, *Silurus*, and *Pericles* were writers in the Public Advertiser in favour of administration. EDIT.

† A challenge had been absurdly given to JUNIUS by several writers in the Public Advertiser, as well as by Sir William Draper; and one correspondent, as here referred to, had the egregious folly to propose a bet of 14,000 guineas, being, as he stated, his whole fortune, "that he could produce in six months a counter-petition, signed by 4,000 freeholders, *all men of sense*, begging his majesty to confine the ringleaders of the opposition, and bind them over to their good behaviour." EDIT.

haughty, and a spirited, though patient, people shall demand vengeance on his head for all the disgraces and injuries which he has heaped upon theirs? Are these to be his intercessors to a misguided and betrayed king for mercy? Enjoy with your associates, my lord, their buffoonery and their scurrility whilst you may: the day is not far off—if the Almighty has not in his wrath given up this country to that worst of punishments, that most intolerable of all tyrannies, the government of insolence without spirit, violence without vigour, ambition without dignity, obstinacy without resolution, and ignorance without diffidence.—The day is not far off when these insults will be retorted most severely, and humanity itself will not be able to keep them from your head, though that head should be on the block.

AUGUR.

LETTER LXI.

TO HIS GRACE THE DUKE OF GRAFTON *.

MY LORD, 10 *November*, 1769.

THE facility with which you abandoned your earliest connections in friendship

* This letter was printed by the desire of JUNIUS in the Public Advertiser, but was not written by him. See Private Letter, No. II. It was, however, so generally supposed to

and politics, was, I doubt not, a leading recommendation to establish your credit at St. James's. A gracious discerning prince, who, even at the moment of his accession, had fortitude enough to get the better of every predilection which he might be supposed to have inherited from his ancestors in favour of the friends of the House of Hanover, must have observed with pleasure that your grace was equally ready to desert the friends who contributed most to your advancement, and to adopt new principles of government. I will not complain of a change of system, for which you had so powerful a precedent, and which you have found so favourable to your ambition. But there are rules of decency, my lord, which a wiser man would have observed, even in the grossest violation of morals. There is a certain sort of hostilities which is forbidden by the laws of war between nations, and by the laws of enmity between individuals. The contentions of party have given a fashionable latitude to the principles of modern morality; but still, my lord, there are some characters too great and venerable to be insulted; there is yet

have been his, that JUNIUS himself thought it necessary to request the printer to publish the following contradiction in the same journal, Nov. 17. "We can assure the public that the letter signed A. B. relative to the Duke of Rutland is not written by the author of JUNIUS." EDIT.

a certain breach of decorum, which the public will not submit to. Was the Duke of Rutland the only man in this country, at whose expense you could gratify Lord Denbigh? One would think, my lord, that if his uniform adherence to the principles of the revolution, his steady attachment to the House of Hanover, and the important services which he and his family have rendered to that house could possibly be forgotten, there was yet something in his age, his rank, his personal character, and private virtues, which might have entitled him to respect. Was it necessary, my lord, to pursue him into his own county on purpose to insult him? Was it proper, was it decent, that while a Duke of Rutland is lord lieutenant, the Earl of Denbigh's recommendation should govern the county of Leicester*? Had Lord Denbigh no friends in Leicestershire but rank tories to recommend for the commission of the peace? And is it under a prince, who owes his crown to the whig interest of England, that a minister dares to send such a mandate to the Duke of Rut-

* It refers to certain justices of the peace having been made at the request of Lord Denbigh, by a commission of the Lord Chancellor (Camden), and others, for the county of Leicester, without consulting the Duke of Rutland, who was lord lieutenant, and who, *ex officio*, ought to have been honoured with the nomination. EDIT.

land? I know his grace's spirit, and doubt not of his returning you an answer proper for you and for himself.

United as you are, my lord, with men whose concern for the safety of the church, and whose zeal for the prerogative of the crown has been so often unluckily mistaken for simple jacobitism, I take for granted you are as well acquainted with their history, as with their principles. You are able to tell us, and surely the public has a right to expect it from you, by what species of merit the Earl of Denbigh has contrived to make himself so distinguished a favourite at court. Was it the notorious attachment of his family to the House of Hanover, or his own personal accomplishments? Was it his fortune that made him respectable, or his beggary that made him submissive? Was it the generous exertion of his great abilities in parliament, or the humble assiduity of his attendance at Lord Bute's levee? Was it the manly firmness of his personal appearance, or the pliant politeness of his temper? Was it the independent dignity with which he maintains the rank of a peer, or the complaisance with which he accepts and executes the honourable office of a spy? Whatever have been his merits or services, they are undoubtedly of a complexion very different from those of the Duke of Rutland.

His grace has now wisely exchanged that busy scene, in which he never appeared but with honour, for an hospitable retirement. His age will not permit us to hope that he can long be the object of the spite of such a creature as Lord Denbigh, nor of the scorn and insult of such a minister as your grace. But he will leave a family, my lord, whose principles of freedom are hereditary, from whose resentment you will have every thing to apprehend. As for himself, I shall only say, that if it were possible for the views and wishes of the tories to succeed; if it were possible for them to place a Stuart once more upon the throne, their warmest hopes and ambition might be disappointed. He too, like another judicious prince, might think it the best policy of his government to choose his friends and favourites from among the declared, notorious, determined enemies of his family. The tories who placed him upon the throne, might be driven disgracefully from his presence; and, upon the same principle, I challenge your grace to point out a man more likely to be invited to the place of first minister and favourite than the Duke of Rutland.

A. B.*

* The above letter, though avowedly not from the pen of JUNIUS, was reprinted in the Public Advertiser from another journal at his request. It was replied to a few days afterwards

LETTER LXII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 17 *November*, 1769.

JUNIUS may change his signature, his manner he cannot change. The farfetched antithesis, the empty period, the pert loquacity distinguish the writer; and the rancorous and impudent falsehood discovers the man. In vain has he attempted to conceal himself under initials; he is as invariable in the tenor of his diction as he is in the bias of his mind. It was, however, a mark of some judgment in Mr.—— to use a new signature in your paper of Friday. *A. B.* may praise the Duke of Rutland, though JUNIUS has infamously traduced the Marquis of Granby*. By a mean subterfuge an appearance of propriety may be preserved among the superficial; but the generous and discerning must despise and detest a man who makes the interests of a profligate party the only standard by which he regulates his encomium as well as his abuse.

But to set the public right in a matter of

afterwards by the letter that follows; to withhold which would be an act of injustice. EDIT.

* The duke and marquis were related, as being both of the Manners family.

fact is the only design of this letter. The insertion of particular persons by mandate, without issuing a new commission of the peace, has been in daily practice; and is an undoubted power lodged in the great seal; but in that alone; nor can any other servant of the crown interfere no more than in a decree of that great officer, the chancellor in the court of chancery.

The principles of that noble lord are as well known as those of the remainder of the king's ministers, who, notwithstanding every aspersion to the contrary from factious artifices, have on every occasion proved themselves to be the supporters of the real liberty of the people, and of the true spirit of the constitution.

Has the lord chancellor in any instance deviated from such a character? And yet if JUNIUS, or his shadow *A. B.* were right, this noble lord would be termed a jacobite: for if there is any thing improper in the appointment, he is the man who should be charged, and not the Duke of Grafton, on whom calumny endeavours to fix the mistakes of others.

JUNIUS, in his zeal for his party, defeats the means he uses to serve them. Unfortunately for his cause, the attacks he makes upon, and his charges against the Duke of Grafton require only to be fairly stated to confute themselves; and thus (I will do him the justice to

suppose), without design he becomes the panegyrist of a character he wishes to ruin in the eyes of the world.

I am, Sir,
Your humble servant,
MESSALA*.

LETTER LXIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

17 *November*, 1769.

SIR,

I WILL not pretend to say that the inclosed letter is a very severe libel on its right honourable author! And yet, Mr. Woodfall, you may safely print it; for though we have laws against self-murder, there are none against self-libelling.

A curious collection of correspondence, both political and amorous, has lately fallen into my hands, with which I shall from time to time furnish you, reserving the most extraordinary of both kinds till the last, *pour la bonne bouche*.

X. X†.

* To this letter *A. B.* gave an answer, but as it decidedly was not written by JUNIUS, we have omitted it. EDIT.

† Mr. Onslow was at this time persecuting Wilkes with all the acrimony in his power, in unison with the Duke

MY DEAR WILKES,

I AM very sorry to have been prevented seeing you to-day; but I hope to have

of Grafton, both of whom had a few years before professed the warmest friendship for Wilkes. Mr. Horne, not then at enmity with Wilkes, had just published the following letter, of a similar kind of which Wilkes had given him a copy:

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 14 *July*, 1769.

MANY of your readers having seen an abuse on Mr. Horne, for the publication of a letter from Mr. Onslow to Mr. Wilkes, are desirous of seeing that original.

COPY OF A LETTER FROM GEORGE ONSLOW, ESQ. TO JOHN WILKES, ESQ.

Ember Court, 21 *September*, 1765.

MY DEAR OLD FRIEND,

HAVING been most shamefully silent to you during the remainder of an opposition which did honour to every man concerned in it, and to the credit of which you so much contributed, I now begin my correspondence with you, at my first entering into office with, and under, an administration, whose principles, I hope, and believe, will authorize your giving equal support to, in their very different situation. If they did not, as I know they do, revere and hold sacred those sentiments they avowed during the two last years, and in abhorrence those vile and detestable ones of persecution and injustice, by which the public were so injured in your person, I should be ashamed of what I am now proud of—bearing the small share I do among them.—Public marks of this, as well as private ones, I hope will soon take place.

Honest Humphrey has dined with me here to-day, and

we

a good account of you by the return of my servant who brings you this: perhaps you may

we have just drank your health, as we have often done. Honest as he is, I never felt him more so than your last letter to him, which he has just now shewed me, has made him appear to me, in having done justice to my very sincere and constant regards to, and admiration of you. Every word of this letter of yours (dated the 26 Aug. from Geneva) I subscribe to, and think and persuade myself the completion of our patriot, not selfish, wishes (for such they are not) will soon appear among many other proofs of integrity, steadiness, and virtue, in the present ministry, and of their being as inimical as ever to those whom they have been opposing, for having acted contrary to all these principles.

Your friend Mrs. Onslow has been enjoying with us, in infinite mirth, your last specimens of notes on different parts of great Churchill's works, viz. Hogarth, Talbot, and the scoundrel Bishop. They are specimens indeed of your amazing wit and abilities; and when he has more of them he has promised me a copy.

Believe me, my dear John, your mentioning me as you do gratifies my pride, as it will always do to shew myself your friend and humble servant. I was always so as a public and as a private man. Our good friend Humphrey and I are at this moment in your service, and from us both you shall soon hear, particularly as to the contents of your letter of the 26th. I beg you to believe that I most truly and affectionately am your faithful, humble servant,

GEO. ONSLOW.

Postscript. Postpone your judgment till you hear again from me, on what I lament as much as you can do, and think of as you do,—Mr. Pitt and Lord Temple's being not in employment. EDIT.

be better if more of your friends besides myself have missed troubling you to-day; as I'm sure quiet and keeping down your wonderful flow of spirits must do you good. To most men in your situation such a caution would surely be needless, because men of less greatness of mind, and of a less noble spirit than yourself, would yield to such a load of damnable persecution, from the most dangerous administration that ever was in this country. But honest men like yourself know how to despise *it and them*, and to rise superior to them all.

If I had a mind to raise your indignation I would bid you think of the similarity of these times to those you and I have talked of with abhorrence; but as I mean always to add to your comfort and satisfaction, I will desire you to think of the similarity of your own circumstances to those of the many great and good men that lived in those times, and suffered as you do now. Remember how greatly they were thought of, and how their characters are respected now, and remember, and be assured to your comfort, that let the iron hand of power fall ever so heavy on you (it can't fall very heavy from your innocence) every honest man, and every gentleman, must bestow the same degree of applause on you as they must of abhorrence and detestation on your and their

country's enemies. I will certainly call on you to-morrow morning or evening. I have nothing new to send you. I hope it is not *so* to you that I am unalterably,

Dear Wilkes,
Your faithful and affectionate
humble servant,
GEORGE ONSLOW.

Curzon-street, Monday night,
21 *Nov.* 1763.

Mrs. Onslow sends you her comps. I wish you would appoint honest, faithful Humphrey to meet me at your house precisely at one o'clock on Wednesday. I have a thousand things to say to him.

LETTER LXIV.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *20 Nov.* 1769.

I CANNOT but admire the easy assurance with which that modest gentleman, who writes for the Gazetteer, informs us that he has gained a complete victory over JUNIUS. It is not the first time that the silence and moderation of JUNIUS have been mistaken for submission, nor is this the first blockhead who has plumed himself upon an imaginary triumph over the favourite of the public.—I wish, how-

ever, if he be in the secret, that he would tell us plainly whether the officers of the guards are to be tried or not? If they are not, the observations, made by JUNIUS upon the conduct of the ministry, return with double force. If they are, JUNIUS is right, and acts honourably in not pushing his inquiries farther *. As to the facts, it is unnecessary for him to say any thing in support of them. They are so notorious, that the parties themselves cannot, dare not deny them. If Captain Garth did not wilfully abandon his guard why does he not demand a court-martial to clear his character? And would not the ministry, for their own credit, take care that Captain Dodd should be brought to a trial if they were not absolutely certain that a court-martial must cashier them? Truly, Sir, these gentlemen have a bitter enemy in *Modestus* †. It appears to me that he has some secret rancour against them, which nothing can satisfy but the loss of their commissions.

X. X.

* JUNIUS, in Private Letters, No. 10. assigns the following reason for thus declining it: "The only thing that hinders my pushing the subject of my last letter is really the fear of ruining that poor devil Gansel, and those other blockheads." EDIT.

† *Modestus*, as before observed, was a Mr. Dalrymple, a Scotch lawyer. EDIT.

LETTER LXV.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *23 Nov.* 1769.

JUNIUS and his journeymen have engrossed the whole alphabet; but from *A. B.* to *X. X.* the style and manner of the shop are easily discovered. From alpha to omega, the same attention to a period, and the same neglect of good sense, manners, and propriety. However, *Mr. X. X.* in to-day's Public Advertiser has even out Heroded Herod. It was certainly unpardonable presumption in the modest gentleman who writes for the Gazetteer to assume the merit of a victory over the young gentleman who writes for the Public Advertiser. But *Te Deums* have been sung before on as slender foundations. The young gentleman with that fire and spirit which accompanies green years threw down his glove to the world, and challenged all mankind to contradict the truth of certain facts, or the justice of certain observations. He proposed, if not a reward to the champion who should vanquish him, at least a punishment to himself if vanquished; nor that a slight one, if he were, as *X. X.* says he is, the favourite of the public. The modest gentleman ventured to take up

the glove, and with a boldness not very consistent with his name, demonstrated that the narrative was false in every circumstance material to the question; and the observations not only ridiculous in the view of supporting the conclusion attempted to be drawn, but in a supreme degree injudicious to the cause they were intended to promote.

To this JUNIUS, with prudence beyond his years, makes no reply, and *Modestus*, after a decent forbearance, presumes to put him in mind of his challenge. This produced the letter signed JUNIUS, in your paper one day last week; in which, to speak negatively, he neither supports the truth of his narrative, or the justice of his observations, and in which to speak positively, he gives up both. Not fairly, nor with the candour of a gentleman, who is convinced of his rash and dangerous mistake; but with the struggles and evasions of a culprit who is convicted of a crime.

Upon this true state of the dispute, *Modestus* most impudently assumed to himself the victory; and I must confess he seemed to have the appearance of a claim to it. But *Mr. X. X.* has clearly demonstrated the contrary; and the method this honourable gentleman has taken to chain victory to the triumphant car of the public's favourite adds greatly to his merit.

A person of vulgar understanding would have descended into a tedious detail; he would have endeavoured to shew by argument and fact that JUNIUS was in the right, and *Modestus* in the wrong. But *Mr. X. X.* another Alexander, cuts the Gordion knot at once, and annihilates the pretensions of *Modestus* with a single word. There is so much energy, so much eloquence, so much of the polite scholar, the gentleman, and the patriot, in the term *blockhead*, that if *Modestus* possesses but a shadow of what its name imports, he must fairly confess himself routed; and instead of *Te Deum* I would advise him to sing *De profundis.*

It was to be sure the height of insolence in *Modestus* to attack the favourite of the public; but it may be pleaded in his excuse, that the public has several favourites who are shrewdly suspected to be unworthy of its favour; and JUNIUS has staked and forfeited that favour of which he had much reason to be proud. But pray *Mr. X. X.* have not you been guilty of a trifling error by substituting the public in place of the mob? You wish to know whether the officers are to be tried or not. For answer give me leave to ask you whether you have learned to read? Had that essential part of your education been attended to, you would not have been so ignorant of what has been explained

again and again, and you would not have been so illiberal to imagine you could better a bad cause by calling names; an argument which deserves no answer but the strapado.

But your education did not depend on yourself, and perhaps you are left-handed, which I have been told by many intelligent Hibernians, your countrymen, is an insurmountable bar to scholarship: yet common sense is the portion of the unlearned as well as of the learned, and though you may be but an indifferent scholar, there was no occasion to insult her in the way you have done. The world hitherto has believed that JUNIUS was rather unfriendly to the officers concerned in General Gansel's rescue, when he publicly aggravated their offence from a common breach of the peace to an outrage against the constitution; and it believed, that *Modestus* was not their enemy for endeavouring to shew that JUNIUS was in the wrong, and representing all the circumstances of excuse which the nature of the case afforded. But here also *Mr. X. X.* has convinced the world of its mistake: and it stands on his infallible authority, that JUNIUS is a faithful friend to these officers, and *Modestus* a rancorous and inveterate enemy, whom nothing can satisfy but the loss of their commissions. The force of genius is certainly wonderful! It discovers in

propositions the very reverse of what they contain. But *Mr. X. X.* when you address the public again, remember, that though paradoxes astonish, they do not convince against evidence.

However, we are but seconds in the quarrel between *Modestus* and JUNIUS, and we ought not to suffer our principals to proceed to extremities. To soften the rancour of their contention, I would propose that some friendly unfriendly greeting (as Shakespeare calls it), should pass between them. They need not exchange armour like Glaucus and Diomede (an example which would afford me many choice allusions if I had time to pursue them), but they may exchange names. The propriety of this no man can dispute, for even *X. X.* will agree with me, that *Modestus* is a little young, and JUNIUS not a little modest.

I am, Sir,
Your humble servant,
Y. Y.

LETTER LXVI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *25 November*, 1769.

FOR answer to my last letter, in which I asked a very plain question, *viz.* Whether the offi-

PUBLIC LIBRARY, BUNGAY.

cers of the guards were or were not to be tried for the rescue of General Gansel?—your correspondent *Y. Y.* contents himself with another question, whether I had learnt to read? The question is pertinent enough, and as much to the purpose as if he had enquired the hour of the day. Will this gentleman be so good as to quit all circumlocution, and tell us what we were to trust to. Is Captain Garth, who deserted his guard at noon day, an equerry to the Duke of Cumberland? Did he not leave the command of his guard to a person who had as little right to take it as Buckhorse, and is he or is he not protected by his royal highness?—Is not Captain Dodd the old friend of Henry Lawes Luttrell, and the son of the oldest and most intimate crony of Lord Irnham? Have either of the parties denied any one of the facts stated by JUNIUS?—Has not Colonel Salter been ordered to hold his peace?—Has not William Viscount Barrington, secretary at war, most infamously neglected his duty in not moving the king to order a court martial for the trial of these offenders? And has not the adjutant-general publicly and repeatedly, though in vain, represented that they ought to be cashiered? What will the flat general contradiction of an anonymous writer avail against circumstances so particular, so well vouched, that the parties most

concerned are ashamed or afraid to deny them? How is JUNIUS to prove his facts but by such a particularity and precision in the state of them that no man, who knows any thing of the matter, will venture to dispute the truth of them? In this case a negative is as strong as a positive proof, and the only proof the thing will admit of. It is absolutely incredible that neither Captain Garth nor Captain Dodd should contradict such facts as lead immediately to their ruin, if justice were done—nothing but shame and self-conviction keep them silent.

As to argument, I should be glad to know why the letter signed *Moderatus** has not been answered? It has not even been attempted.—Depend upon it, Sir, the silence of JUNIUS portends no good to the ministry†. When he honours them with his notice it is not a momentary blast. He gathers like a tempest, and all the fury of the elements bursts upon them at once.

X. X.

* Inserted in the genuine edition as Philo-Junius, Letter XXXI. EDIT.

† The quotation in the note to the preceding letter, from private letters, No. x. is followed by these words: "But as soon as a good subject offers." This was fulfilled in the attack upon the Duke of Grafton in Letter XXXIII. for the gift of a patent place, customer of the port of Exeter, to Colonel Burgoyne, who sold it, with the supposed knowledge of his grace, to Mr. Hine for £4000. This Ju-

LETTER LXVII.

For the Public Advertiser.

28 *November*, 1769.

TO JUNIUS.

SIR,

THOUGH you may choose to vent your illiberal resentment under the borrowed signature of *X. X.* I, who think scurrility no disgrace to your real name, shall not affect to make a distinction where there is no difference. For the same reason I do not plead that JUNIUS having given the challenge, I am not bound to enter the lists against any other. It is a peculiar advantage in this sort of warfare, that when a man is routed in his own person, he can still keep the field under another; and you in particular have a right to the device, *non vultus non color unus.*

After giving up the question as JUNIUS, you come back upon it as *X. X.* It would be a labour indeed to answer you the same questions

NIUS deemed so strong a hold upon the duke, as to advise the printer, on a threatened prosecution for publishing this letter, which contains a very severe statement of the fact, "not to shew fear, but to tell them he would justify, and subpœna Mr. Hine, Burgoyne, and Bradshaw of the treasury" as that would "silence them at once." See Private Letters, No. XV. EDIT.

in every form you are pleased to assume. But for once I will take the trouble to repeat what I have already said, not from any merit or novelty in your questions, but to leave you without excuse. Had you turned over to my letter in the Gazetteer of the 13th of November, you would have discovered that the gentleman, who asked *Mr. X. X.* whether he had learned to read, did not put a very impertinent question. It is there stated that Captain Garth was no otherwise concerned in General Gansell's rescue than by being absent from his guard when it happened. This is undoubtedly a military offence; and if the friendship of JUNIUS or *X. X.* will still insist to have it punished, there is no help for it. But it is not true that Captain Garth left his guard to be commanded by any person; and it is immaterial to the question whether he be equerry to the Duke of Cumberland, or protected by him. If the thing is so, I congratulate him; but surely that honour neither makes him a criminal, nor aggravates his supposed crime. With respect to Captain Dodd, you have brought a fresh charge against him, to which there can be no defence. He is, it seems, a companion of Colonel Luttrell, and his father is the intimate friend of Lord Irnham. I am sorry for it; but if he is guilty of such a crime I must give him up; and I do

it with the utmost gratitude to the friendly and compassionate JUNIUS, who requires no greater punishment for an offence of this heinous nature, than to ruin the fortune and reputation of the person who committed it.

I must also congratulate you upon that candour and moderation with which you declined the contest on this point, lest you should prejudge the trial, civil or military, which I told you was intended. This circumstance affords so striking a proof of your humanity, that you leave me at a loss in what manner to acknowledge it.

But raillery apart. Have you really forgot, or are you so supine that you could not take the trouble to look over my letter, before you crowded together so many ridiculous questions? It is there affirmed that these unfortunate gentlemen would have been immediately tried by military law, unless it had occurred, that a trial by court-martial might possibly prejudge the civil action intended to be carried on by the party injured. Some reasons for this were given, and such as ought to have satisfied a patriot at least. But I have learned by much observation that nothing will satisfy a patriot but a place.

Once more I will state the reasons, and though I do not believe you will feel them, yet

I am persuaded every man, who knows or values our constitution, will be convinced of their weight.

By the articles of war a military officer who shall oppose, or resist the civil magistrate in the execution of his duty, shall be cashiered; and the only question that remains is, in what manner can the offence be ascertained? I maintain that a court-martial cannot enter into the question of fact, by leading evidence to prove that the offence was committed, because this would be to deprive an Englishman of his right of trial for civil offences by jury. The legal and constitutional method of procedure in these cases is a common trial at law for a civil offence, and a conviction of the offender at common law is the only evidence upon which a court-martial can proceed to inflict the military punishment. This being so, had a court-martial been ordered, or were it now ordered upon these gentlemen, it would be a manifest violation of their privileges as Englishmen; because the issue is not yet tried at common law; and till the offenders are tried and convicted at law, there exists no medium on which a court-martial can proceed.

This doctrine may be new to you; but it is not so to any man acquainted with the constitution of which you pretend to be an assertor.

The single point in dispute between us is, whether the ministry acted properly or improperly in the affair of General Gansell's rescue? You say the minister ought to have ordered a court-martial to try the officers concerned in it immediately; and because he did not you accuse him to the public. I, on the other hand, affirm, that a court-martial ought not to have been called immediately; that the officers could not have been tried consistently with the laws of the land; and if the minister had acted otherwise than he did, he would have been guilty of a very gross violation of our rights. The reasons on which we found this difference in opinion are before the public, and it will judge of them without respect to you or to me. Whether the parties have denied the facts or not, whether Colonel Salter speaks or holds his tongue, are very immaterial circumstances; but if my position is right, Lord Barrington has not neglected his duty in not moving the king to order a court-martial, which the king could not order in the present state of the case, consistently with that tender regard which his Majesty has ever shown for the civil rights of his subjects. To answer directly the question you ask, whether or not the officers are to be tried? is impossible. It is a future event, and though the present intention of the ministry is, I be-

lieve, favourable to the rancour of JUNIUS, no man can tell what time may produce. But the question is certainly premature, and indeed the whole dispute would have come more properly before the public after the civil trial, which naturally and necessarily must precede the court-martial.

No motive engaged me to enter into this altercation, save an honest indignation excited by your malevolence, ignorance, and misrepresentation. I foresaw the illiberal abuse to which I exposed myself, and I received it as it deserves to be received. I will not do any of your allies the honour to take notice of them, but I recommend it to you to tye up that overdrove animal John Bull, who seems indeed to be stimulated to madness, that he may no longer prophane a respectable name, but own that which he received from his godfathers and godmothers, *viz.* Patrick O'Bully.

MODESTUS.

LETTER LXVIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 2 *Dec.* 1769.

I NEVER doubted that the unfortunate *Modestus,* if left to himself, would soon ruin

himself and his clients. He has now fairly clinched the matter. In his letter of this day his whole defence of the Duke of Grafton, and all the weight of his arguments against JUNIUS, are made to rest upon a supposed certainty that, when the common law has taken its course, the officers of the guards will be brought to a court-martial. Here then we join issue with *Modestus;* and though near ten weeks have elapsed since the rescue of General Gansel, we are ready to admit that it is not yet too late for the minister to do his duty; but if notwithstanding the assurances given us by *Modestus* it should appear that there never was an intention to bring these offenders to a trial, how will he answer it to the public, that he has dared to take up such a cause, and to impose so many gross falsehoods upon our credulity? As a friend, I would advise him to look out in time for some plausible evasion. The ministry have singular reasons for every thing they do, and I will venture to foretel that the officers of the guards will never be brought to a court-martial, because their offence is so great that they must inevitable be cashiered.

X. X.

LETTER LXIX.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *5 March*, 1770.

THERE is a certain set of men, who, upon almost every action of their lives, are insulted with the pity both of their enemies and their friends. They seem to have discovered the art of doing whatever is base and detestable, without forfeiting their claim to the public compassion. A bad man, with resolution and abilities, is a formidable being. His great qualities compensate for the absence of good ones, and though not entitled to esteem, secure him from contempt.—The persons I speak of are not in this predicament: they have nothing elevated in their vices. In vain do they labour to distinguish themselves by the violation of all public duties, and private engagements. They still preserve their natural mediocrity of character, and have as little chance of being honoured with the detestation, as with the esteem of their country.

I cannot mention the name of Sir Edward Hawke without concern. How unfortunate it is that a heart, unacquainted with fear, should have so little sense of propriety and decorum! I should be sorry to puzzle him with intricate

questions either of policy or morals, but there are some distinctions within the reach even of *his* understanding. In his situation, it particularly became him to regulate his conduct by the judgment of the public. Though not expected to think for himself, he might have taken a generous part with the friends of his country, and still have been respected for the integrity of his intentions. To what a poor, insignificant condition has he now reduced himself! Behold him, at such a conjuncture as the present, meanly keeping possession of an office, which he owes to Lord Chatham's friendship, and distinguished as the only surviving minister, (of those introduced into the cabinet by Lord Chatham*) who supports the present administration. What opinion can he deliver in the House of Commons? What measures can he maintain in the cabinet? Instead of the dignity of thundering out secrets of state from the gallery, we see the first lord of the admiralty skulking into the house, just before a division, as if he thought that every body had heard the peremptory message sent him by Mr. Bradshaw.

As to his opinions in council, he must either adopt a new set of ideas, or, if he presumes to

* See Editor's note to JUNIUS, Letter XXIII. EDIT.

differ from his colleagues, must silently submit to be over-ruled. On these terms he may be permitted to keep an employment, which, since he sold his stock in the beginning of the winter, produces nothing, in addition to the salary, but the means of providing for his friends. The choice of Commodore Hill and Admiral Geary proves that he can discover latent merit in the most unpromising subjects. By this disposition of the command at Chatham and Portsmouth he seems to aim at encouraging *future* services, rather than in rewarding the past; and as to his economy, was it possible to give a better proof of it, than by turning adrift a multitude of poor artificers to idleness and beggary, on purpose to make up four pounds a day for the use of Mr. Geary?

Admiral Holburne's services in America have also been very properly considered. When so many Englishmen vacate their places, it would be strange indeed if a Scot of such distinguished merit had been left unprovided for. Sir Percy Brett resigns,—Mr. Holburne succeeds him, and Sir Edward Hawke is still first lord of the admiralty! Proceed, Sir Edward, in this honourable line. Be a spendthrift of your good name. We shall not quarrel with your prodigality, for you have a right to waste the reputation you had acquired. You once contributed

largely to save this country, and have a creditor's claim to contribute to its destruction.

The indigent circumstances of Lord Hartford's family account for and justify their conduct. The same spirit of economy which animated the father to the sale of public employments in Ireland, revives in the son, and finds the best market for the ammunition of the Warwickshire militia *. Lord Hartford, General Conway, and Lord Beauchamp are the very quintessence of courtesy and candour. Undecided in their opinions, disengaged from all attachments, they support no measures without leaving room for explanation, and can reconcile the coldest indifference about the interests of others, with the warmest anxiety for their own. It is unluckily the fate of these moderate, candid persons, to be despised by all parties. In vain does the gentle Beauchamp give the treasury bench the negative assistance of his oratory;—in vain does his honest father beg an audience for personal solicitation in the closet. General Howard and the secretary at war have still spirit to resist †. The promotion

* This youth goes by the name of Gunpowder Beauchamp through the whole county.

† Lord Hartford not long ago had the modesty to desire that his son, a youth of twenty years old, might be put over the heads of all General Howard's officers.

goes in the regiment, and the military achievements of the younger Conway are left for future consideration. Poor Lord Hartford! what is this but a continuation of the Duke of Grafton's tyranny? From one minister we see him regularly kicked down to another. His nephew treats him like a footman, and Lord North, with still greater severity, yoaks him with General Græme *.

My sincere compassion for Lord Cornwallis arises not so much from his quality as from his time of life. A young man by a spirited conduct may atone for the deficiencies of his understanding. Where was the memory of this noble lord, or what kind of intellects must he possess, when he resigns his place, yet continues in the support of administration, and, to shew his independence, makes a parade of attending Lord North's levee, and pays a public homage to the deputy of Lord Bute! Where is now his attachment, where are now his professions to Lord Chatham;—his zeal for the Whig interest of England, and his detestation of Lord Bute, the Bedfords, and the Tories? Since the time at which these were the only topics of his conversation, I presume he has

* Lord Hartford and this worthy Scotchman are spies in ordinary to the minister for the time being.

shifted his company as well as opinions. Will he tell the world to which of his uncles or to what friend, to Philipson or a Tory lord, he owes the advice which has directed his conduct? I will not press him farther. The young man has taken a wise resolution at last, for he is retiring into a voluntary banishment in hopes of recovering the ruin of his reputation.

These loose sketches are sufficient to mark to you the kind of character, which, with every quality that ought to make it odious, still continues pitiful, and is never important enough in mischief to excite indignation. I would not waste a thought in contriving the punishment or correction of such men; but it may be useful to the public to see by what sort of creatures the present administration is supported. It is unnecessary to enlarge the catalogue. Without name or description they are distinguished by a certain consciousness of shame which accompanies their actions. After deserting one party, they dare not engage heartily with the other; and having renounced their first sentiments and connexions, are forced to proceed in the humble track of voting as they are ordered, without party, principle or friends.

DOMITIAN*.

* The letters under this signature are recognised by JUNIUS in his Private Letters, No. 56. EDIT.

LETTER LXX.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 10 *March*, 1770.

No man is more warmly attached to the best of princes than I am. I reverence his personal virtues, as much as I respect his understanding, and am happy to find myself under the government of a prince, whose temper and abilities do equal honour to his character. At the same time, I confess, I did not hear without astonishment of the answer which some evil-minded counsellors advised him to return to the sheriffs of the city of London*. For a

* The following are the particulars of the dispute which occurred in presenting the petition of the 14th of March, 1770.

On Wednesday the 7th, the sheriffs attended at St. James's, to know his Majesty's pleasure, when he would be waited on with the city address, remonstrance, and petition; they waited till twenty minutes after two, when, the levee being over, they, with the remembrancer, were admitted into the closet, when Mr. Sheriff Townsend addressed himself to his Majesty in the following words:

"May it please your Majesty,

"By order of the lord mayor, aldermen, and livery, of the city of London, in common-hall assembled, we took the earliest opportunity, as was our duty, to wait upon your Majesty; and, being prevented by one of your Majesty's household, who informed us, that it was your Majesty's pleasure to receive us, we this day wait on your Majesty, humbly to know when

king of Great Britain to take time to consider, whether he will or will not receive a petition

when your Majesty will please to be attended with an humble address, remonstrance, and petition."

To which his Majesty was pleased to return the following answer:

"As the case is entirely new, I will take time to consider of it, and transmit you an answer by one of my principal secretaries of state."

On Thursday evening the sheriffs received the following letter from Lord Weymouth:

"Gentlemen, *St. James's, March* 8, 1770.

"The king commands me to inform you, in consequence of the message which you brought yesterday to St. James's, that he is always ready to receive applications from any of his subjects; but as the present case of address, remonstrance and petition, seems entirely new, I am commanded to enquire of you in what manner it is authenticated, and what the nature of the assembly was, in which this measure was adopted?—When you furnish me with answers to these questions I shall signify to you his Majesty's further pleasure.

"I am, Gentlemen,

"Your most obedient

"*Sheriffs of London.* humble Servant,

"WEYMOUTH."

On the next day the sheriffs went to St. James's, and after waiting some time, Lord Bolingbroke came out, and enquired whether he was to tell his Majesty that they came with a fresh message, or with a message? The sheriffs answered, with a message. Soon after the two secretaries of state, Lord Rochford and Lord Weymouth, came to the sheriffs. Lord Weymouth asked them "whether they had received his letter, which was written by his Majesty's order?"

Sheriffs.

from his subjects, seems to me to amount to this, that he will take time to consider whether

Sheriffs. "We have."

Lord Weymouth. "His Majesty desires to know whether you come in consequence of that letter; or whether you come on any fresh business?"

Sheriffs. "We come in consequence of that letter."

Lord Weymouth. "Would it not be more proper to send an answer in writing through me?"

Sheriffs. "We act ministerially. As sheriffs of London we have a right to an audience; and cannot communicate to any other person than the king, the subject of our message."

Lord Weymouth. "I do not dispute your right to an audience; but would it not be better and more accurate to give your message to me in writing?"

Sheriffs. "We know the value and consequence of the citizens right to apply immediately to the king, and not to a third person; and we do not mean that any of their rights and privileges shall be betrayed by our means."

Lord Weymouth then said, "His Majesty understanding that you come ministerially authorized with a message from the city of London, will see you as soon as the levee is over;" and being introduced accordingly, Mr. Sheriff Townsend addressed his Majesty in these words:

"MAY IT PLEASE YOUR MAJESTY,

"When we had last the honour to appear before your Majesty, your Majesty was graciously pleased to promise an answer by one of your Majesty's principal secretaries of state; but we had yesterday questions proposed to us by Lord Weymouth. In answer to which we beg leave humbly to inform your Majesty, that the application which we make to your Majesty, we make as sheriffs of the city of London,

he will or will not adhere to the fourth article of the Declaration of Rights. One would think that this could never have been a question in the mind of so gracious a prince, if there were not some very dangerous advice given in the closet. I now hear that it has been signified to the sheriffs, that his Majesty cannot receive the petition, until he is informed of the nature of the assembly, in which it was composed. A

by the direction of the livery in Common-Hall legally assembled. The address, remonstrance, and petition, to be presented to your Majesty by their chief magistrate, is the act of the citizens of London in their greatest court; and is ordered by them to be properly authenticated as their act."

To which his Majesty replied as follows:

"I will consider of the answer you have given me."

Whereupon the sheriffs withdrew.

On the Monday following the sheriffs received the subjoined letter.

St. James's, 12 *March*, 1770.

GENTLEMEN,

"The king has commanded me to signify to you his Majesty's pleasure that he will receive on Wednesday next, at two o'clock in the afternoon, the address, remonstrance, and petition, which you have informed his Majesty is to be presented by the chief magistrate of the city of London.

"I am, Gentlemen,

"Your most obedient

"humble Servant,

"*Sheriffs of London.*" "WEYMOUTH."

The address, &c. was presented accordingly, and for a copy of it see Editor's note to JUNIUS, Letter XXXVII. Vol. II. p. 105. EDIT.

king indeed is not obliged to understand the political forms and constitution of every corporation in his dominions, but his ministers must be uncommonly ignorant who could not save him the embarrassment of asking such a question concerning the first body corporate perhaps in the world. The sheriffs, I presume, will hardly venture to satisfy so unusual an inquiry upon their own bare authority. They will naturally move the Lord Mayor to summon another Common Hall, to answer for themselves; and then, I doubt not, the corporation of the city of London will fully explain, to those whom it may concern, *who they are, and what is the nature of their assembly.* After all, Sir, I do not apprehend that the propriety of the king's receiving a petition from any of his subjects depends in the least upon *their* quality or situation. He is bound by the declaration and subsequent Bill of Rights to receive all petitions from his subjects. What notice or answer the contents of them may deserve, must be considered afterwards. To refuse the petition itself is against law. I am persuaded, however, that nothing can be farther from the intention of our gracious sovereign, than to offer a gross affront to the whole city of London. It is evident that the ministry either mean to gain time for carrying some poor counter-measure, by

means of the wretched dependants of the court, or to intimidate the city magistrates, and deter them from doing their duty. I think it therefore absolutely necessary for us to rouse in defence of the honour of the city, and demonstrate to the ministry, by the spirit and vigour of our proceedings, that we are not, what *they* are pleased to represent us, the scum of the earth, and the vilest and basest of mankind.

MODERATUS*.

LETTER LXXI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 26 *June*, 1770.

THAT we may be quietly governed is a very proper petition in the service of the Church of England. If the worst men should be put in authority under the king, they will think it politic to counteract the prayers of the people, and indifferently minister injustice to the punishment of virtue, and the maintenance of vice. The Duke of Grafton has devoted himself to these principles with all the fervour of an enthusiast, nor can we avoid lamenting that

* Letter XXXI. which, in the genuine edition, is signed *Philo-Junius*, had, when it originally appeared in the Public Advertiser, the signature of *Moderatus* affixed to it. EDIT.

so inflexible a bigot should still have failed of martyrdom. His grace has triumphed over the last moments of his power, nor permitted its extinction till he had dismissed the chancellor *, and procured a pension, inadequate, indeed, to former merits for the truly honest Mr. Bradshaw†. The first occurrence has been sufficiently canvassed: the propriety with which his grace has effected the second occurrence cannot possibly be felt through all its force, till the deserving object of ministerial gratitude has spoken for himself.

Come forward, Mr. Bradshaw, thou worthy, but much injured man, at once convince, and undeceive the public. Tell them, that if a person should exist, who dares even to insinuate that the following relation is founded upon stubborn facts, he is a gross defamer of unbiassed honour, and would extend that rancorous abuse, which hitherto has preyed upon the fairest and most courtly characters, till it asperse your own.

Mrs. Allenby entered into an engagement with Miss Bradshaw in behalf of Mr. Allenby, her husband. It was stipulated that she should give into Miss Bradshaw's hands the sum of six

* The dismissed chancellor was Lord Camden. EDIT.

† Mr. Bradshaw, as often observed before, was the Duke of Grafton's secretary. EDIT.

hundred pounds, which was to have been the purchase money of the place of surveyor of the pines in America. An application was soon afterwards made for the same place by Captain P——*, who promised that on receiving it he would pay down the sum of eight hundred pounds. In consequence of this promise, the name of Mr. Allenby, already inserted in the list of intended promotions, was erased, and the blank filled up with the name of Captain P——, to which was added a written assertion that his appointment was owing to Mr. Allenby's having chosen to decline going. When this affair was examined at the board of treasury, Mrs. Allenby was asked where her husband was during this transaction. She answered, "in Cumberland, assisting in the support of the Portland interest, when Mr. Robinson and Mr. Jenkinson were doing what mischief they could to oblige Sir James Lowther."

The latter part of Mrs. Allenby's declaration occasioned some little entertainment. She was ignorant that the two intimate friends of the Earl of Bute, whose characters she was then drawing, were actually present. Mr. Bradshaw pleaded in excuse that his sister, a milliner near Moorfields, was solely concerned in this busi-

* Who the person here alluded to is, cannot be ascertained. EDIT.

ness. When Mr. Cooper mentioned to Mr. Bradshaw an intention of lodging a complaint against him, he burst into tears.—They could not have been tears of penitence, for they imply preceding guilt.

When Mr. Bradshaw shall have exculpated his conduct, which cannot be arraigned without injustice, he may, perhaps, become a conspicuous instance of the prevalence of example. The voice of injured innocence may sound within a neighbouring quarter; and, as the ostensible premier may be questioned on a similar occasion, his lordship will have an opportunity to revive this long-forgotten truth. However contemptibly the world may judge of ministers of state, they are not conscious to themselves of any guilt.

Q IN THE CORNER.

LETTER LXXII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 27 *June*, 1770.

YOUR correspondent, *A Fellow-Labourer in the public Cause* *, has a claim to our atten-

* A letter under the above signature appeared on the preceding day, recommending Mr. Wilkes to stand forward as a candidate for the city of London on the death of Alderman Beckford. EDIT.

tion, rather from the liberality and candour with which he has stated his ideas, than from the force of argument with which he has supported them. He seems to have forgotten that the national resentment has not been so much excited by the exclusion of Mr. Wilkes as by the insertion of Mr. Luttrell. He does not seem to be aware that the discussion of the great question can never be brought on in a new mode as long as Mr. Wilkes is to be the ground-work of the debate: that the arguments for incapacitation of that gentleman were merely personal: that they respected the member returned, without any reference to the constituents: and, therefore, that the substitution of other constituents can effect no alteration in the case whilst the person returned continued the same.

Your correspondent would likewise have done well to have borne in mind that the livery of London have, by the most authentic act of the corporation, declared to the world, that the intrusion of Mr. Luttrell has *vitiated* the present parliament *. With what consistency then

* In such popular detestation was the conduct of the ministry and parliament held, with respect to their proceedings in the Middlesex election, that Mr. Alderman Townsend went so far as to try the legality of the act of parliament for raising the land-tax, the alderman having refused to pay it on

can the same body of men subscribe to the integrity of the same parliament upon any other

on the pretence that the intrusion of Mr. Luttrell had vitiated the parliament, and negatived its power.

The trial took place June 9, 1772, and the following account of it is extracted from the Public Advertiser of the ensuing day.

Yesterday came on in the court of King's Bench the long-expected cause between Mr. Alderman Townsend and the collector of the land-tax. Lord Mansfield had appointed the trial for nine o'clock precisely; but he delayed it till near eleven, waiting for the attorney-general, who did not attend. The cause was opened by Mr. Davenport; after which Mr. Serjeant Glynn addressed the jury, and informed them that in common cases it was the custom to content themselves with proving the trespass, and then leave the justification of it to the defendant; but he said the present case required a farther discussion from him; that it was an important constitutional point upon which the valuable rights of the whole nation depended. He said, he was directed by his client, Mr. Townsend, to conduct the cause as its importance demanded: that therefore he should wave all the informalities in the collector's proceedings: he would admit him likewise to be collector, and that he was authorised by the commissioners: that the single ground of his pleading would be that the commissioners themselves were not authorised: for that a House of Commons legally chosen by the people are alone empowered to levy taxes in this country; and he said, he insisted and would prove by evidence that the persons who passed the act of parliament (under which the collector had seized Mr. Townsend's hay) were improperly called a House of Commons, because they were illegally and defectively constituted. He said that to the making of all laws and the levying of all taxes, it was formerly necessary that every freeholder

terms than the previous extermination of the contaminating object? The introduction of

freeholder should assent individually; and especially before a tax was to be levied the constituents formerly were first referred to, because they were to consent to what they were to pay. Custom and usage (he said) had now made it common for the representatives in parliament to speak for the people, and this was considered the same as the consent of the people, because they were freely chosen by the people for that purpose; and after every election a formal letter of attorney (the indenture) is always given by the electors to the person they have chosen. He said, that this implied consent of the people by their representatives depended entirely on their having the free choice of their representatives: for that if their freedom of choice was invaded, the reference and implication were destroyed, and the people would no longer have any the least consent in the making of laws or levying of taxes; but that their lives and their property would be absolutely at the mercy of any set of men who should call themselves a parliament, corrupted by the revenue and supported by the troops of a weak or a wicked tyrant. He said, that this as far at least as it related to representation was the case with the present persons who call themselves a house; for which, he said, as they were not chosen, so neither are they acknowledged by the people: the county of Middlesex, he said, was not represented: that one of the members legally chosen by the county had been forcibly and illegally excluded; and another person as illegally and forcibly substituted in his room. Mr. Glynn then gave a very striking account of the absurdity and impudence of Mr. Luttrell's pretensions and of the infamy of our ——, and his abettors and accomplices. He said, the present pretended House of Commons had superseded the election of the county by an unwarrantable resolution of their own; and had by so doing

seized

Mr. Wilkes into the house is in itself a circumstance of little importance. If parliament and

seized into their own hands and for their own use and emolument the birth-right of all the people of England. He proved in the clearest manner that the pretence of Mr. Wilkes's incapacity does not exist in the law: and that the people's right of representation is less than a name if the House of Commons has an indefinite power of expulsion. Mr. Glynn said he would produce unquestionable evidence to the points on which he had rested the merits of his cause; notwithstanding that he thought it unnecessary, because the facts were so notorious and so well known to the jury themselves, that they could of their own knowledge, agreeably to the laws of the land, give a verdict for the plaintiff even without any evidence.

As soon as Mr. Glynn had finished his speech and was directing the evidence to be called, Mr. Wallace (the king's counsellor) produced a printed paper, which he said was the act of parliament by which the collector levied the tax. As for the objection that had been made by Mr. Glynn relative to the seat of one of the members, or of the legality of the parliament, he said the courts of Westminster-hall had no power to determine.

Lord Mansfield then rose and said, that he perceived Mr. Glynn wanted that court to retry the judgment of the House of Commons touching the case of the Middlesex election: That is, said his lordship, he wants to prove that the legislature is dissolved; and that all the acts of parliament made since the year 1769 are void. The evidence which Mr. Glynn wants to produce is not by law admissible, and I will not suffer it to be given.—"Gentlemen of the jury, you will find for the defendant."—The clerk then hurried over the form, and said,—"Gentlemen of the jury, hearken to your verdict, &c. you find for the defendant, and

the county of Middlesex had gone on in an eternal circulation of expulsions and returns, the essence of that assembly would not have been affected. The indispensable point is, that the corrupt member should be lopped off; a point that will hardly be compassed by an event of such indifference to the public as the mere seating Mr. Wilkes in the House of Commons a representative of the city of London.

Upon the plan of your correspondent the prosecutors, indeed, will be changed, but the cause will still be the same. It is in the power of administration alone to vary and extend the cause by arbitrarily incapacitating *another member* legally elected; a measure which they do in truth "tremble at the thoughts of."

In conclusion: the restoration of parliament must begin in the person of Mr. Luttrell; nor can the injury to the people of England be heightened in the person of Mr. Wilkes. Every

and so you say all."—Whereupon one of the jury, Mr. Long, said that he did not consent to that verdict. This dissent caused some embarrassment to Lord Mansfield, which he soon got over by saying, "Gentlemen, you are sworn to give a verdict according to the evidence; now *no evidence has been produced* to you against the defendant; therefore you must find for him. You cannot try facts by *notoriety*, that is not law, you must go by evidence, and you have heard no evidence, you must find for the defendant."

The jury accordingly acquitted the defendant. EDIT.

county, every borough, is already as essentially affected as the county of Middlesex. It is an eternal truth in the political as well as the mystical body, that "where one member suffers, all the members suffer with it."

I am,

A LABOURER IN THE SAME CAUSE.

LETTER LXXIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

Southampton-street, Bloomsbury, 27 June, 1770.

SIR,

HAVING to my great surprize seen in a letter published in your paper of yesterday, signed *Q in the Corner*, the following paragraph:

"When Mr. Cooper mentioned to Mr. Bradshaw an intention of lodging a complaint against him, he burst into tears."

I think myself bound in honour and in justice to declare, that the whole of this assertion is false and groundless: I never mentioned to Mr. Bradshaw any intention of lodging a complaint against him; I never heard of any such intention; and I do not know of any circumstance whatsoever that can justify the least

imputation on Mr. Bradshaw of the nature intended to be conveyed by the said letter.

I am, Sir,
Your humble servant,
GREY COOPER.

LETTER LXXIV.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 30 *June*, 1770.

I RECEIVED the circumstance of Mr. Bradshaw's having burst into tears from an authority which I thought at least equal to Mr. Cooper's, and therefore I believed and asserted it. I now perceive that I was mistaken, do willingly give up so *capital* a point in Mr. Bradshaw's case, and join with his honourable friend in declaring, that he has not wept at all about the matter.

I have a high opinion of Mr. Cooper's integrity, but a much higher of Mr. Bradshaw's. I find the fair image of truth in the first, in the last I expect to meet an oracle. Why will not Mr. Bradshaw be so obliging as to step forward, and declare upon *his honour*, that *he* "does not know of any circumstance whatsoever that can justify the least imputation on

him of the nature which seems to Mr. Cooper to have been conveyed by a letter in this paper."

I allow Mr. Cooper's evidence as far as it relates to the falling of some few tears to be entirely decisive; but I am not so courtly as to infer from Mr. Cooper's absolute ignorance of the subject an equal one in Mr. Bradshaw. It is from Mr. Bradshaw, who must know something more of the matter than Mr. Cooper, that I expect to be told, that no board was ever held at which this particular subject was introduced, and that Mr. Allenby was not at that time present.

May I presume humbly to inquire of Mr. Bradshaw if Mr. Dyson did not at that time examine Mrs. Allenby; if he did not attempt to brow-beat her; and if a noble lord had not the humanity to interfere?

After all, it may be worth remarking, that Mr. Cooper's testimony seems to relate only to *his own intentions* with respect to lodging a complaint, and *his own ideas* of the imputations that should arise from transactions of this nature.

I am, Sir,

Your humble servant,

Q IN THE CORNER.

LETTER LXXV.

For the Public Advertiser.

7 *July*, 1770.

TO THOMAS BRADSHAW, ESQ.

Your honourable colleague, Mr. Cooper, bore witness to your innocence. So full a vindication was superfluous. I dare answer for it, that the opinion which the public had conceived of your integrity is still unaltered; it could not have been lessened although your champion never had appeared; nor has his entrance within the lists at all increased it. I took the liberty to appeal from his decision to your own: you seem determined to be silent. Perhaps the rigour of your situation deprives you of any choice between the sacrifice of truth and of yourself. You nobly hesitate to make the first, and tacitly confess, that in one heedless moment throughout a life of unpolluted honesty you may have been to blame. Perhaps you do not think it quite ineligible to let this matter die away. Consult the feelings of your heart, and they will tell you that the public forms of justice can avail but little. They will not either yield a shelter to yourself, or enable you to direct the storm against another.

I have not written from conjecture, nor can you be ignorant that I have drawn my intelligence from its first source, and not the common falsities of the day. There is a place which once was called the House of Prayer; I leave it to men more versed in scripture phrases than myself to tell you what it is at present. Should you hereafter think it proper to discuss this subject there, you possibly may find an individual in that virtuous congregation who will assist the hitherto ineffectual inquiries of

Q IN THE CORNER.

LETTER LXXVI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 7 *July*, 1770.

I FIND myself engaged at once with two antagonists of very different complexions. I must content myself, however, with opposing the same obvious reasoning of a plain man, to the cool circumspect address of *The fellow labourer in the public cause*, and to the rapid, eager precipitation of his supporter. The latter of these gentlemen, with a temperance that does not seem to belong to him, is peremptorily of opinion, " that when a particular injustice is founded on, and supported by a general princi-

ple, the appeal should no longer be made to the passions, but to the wisdom of the people." The reverse is, I believe, invariably true. Prudence may incline us to forget the injury of a moment, the impulse of passion, or the suggestion of caprice. Let the same injury be offered to us with all the insolence of authority, or even let the authority be pretended to without any actual exertion, and wisdom herself shall call forth every passion to resist it.

A simple tax of a few shillings, illegally extorted, was sufficient to enlighten the understandings of the whole nation. Every body perceived that one such instance, supporting itself on a general claim, was equivalent to, and (like an universal proposition), comprehended a thousand. It did not require the sagacity of a Hampden to deduce the consequences; but it called for all his spirit to oppose them.

I am ready to acknowledge, that "in rigorous consistency the city of London ought not to return any representative" to St. Stephen's chapel; I am more ready to dispense with "the attendance of some of the present city members." But I am still willing to admit the necessity of their departing a little from that rigour—*because* I see no medium between such a temporary accommodation, and either the miseries of civil bloodshed, or (what is infinitely

more to be deprecated), the established tranquillity of servitude.

The right of resistance on the part of the people, is the ultimate sanction of our civil liberties. But God forbid that we should be too critically exact in defining the precise boundary where the exertion of that right becomes a duty. The distresses of an intestine war are known, and inevitable; the event precarious. It may be better to submit, for a time, to whatever irregularity in the most essential part of the state, than instantly to seek redress by violence. Every other conceivable method ought first to be eagerly adopted, and earnestly pursued. Something may be expected from time, from impunity, from fear; perhaps something even from conscience and remorse. And if, at length, without coming to extremities, the integrity of the legislature should be restored, the tyrannical decisions of an unauthorized assembly will of course be abrogated; their useful acts may receive a ratification from a legitimate parliament.

You perceive, Sir, that I am not here maintaining the doctrine asserted in the city remonstrance, but arguing from it. Yet I must beg leave to observe, that the distinction introduced by this correspondent, between a specu-

lative and a practical parliament, a parliament *de jure* and *de facto*, is equally novel and monstrous. On this account I cannot but be of opinion that the city should adhere to their constitutional speculation, and insist that Mr. Wilkes is actual representative of Middlesex; although they may without blame, perhaps, acquiesce, for a time, in the proceedings of an assembly, to which they cannot even allow the rank of a convention.

For the sake of peace they may be justified in returning Mr. Oliver. For the sake not merely of consistency, but of the safety and dignity of the state, Mr. Wilkes must not be allowed to quit "the sure ground on which he stands," to borrow an expression of his own in an address to his constituents.

But, it seems, "if Mr. Wilkes were returned by the city, and admitted to take his seat, the unconstitutional principle would be *ipso facto* overturned." Let us see, then, how the argument will stand. If the admission of Mr. Wilkes would *ipso facto* overturn the unconstitutional principle, undoubtedly the continuation of Mr. Luttrell must *ipso facto* perpetuate it.—What is this but to make the House of Commons such an absurd monster in politics, as has never yet disgraced the reason or the patience

of mankind: a legislative body subsisting by two principles (each in its full force and energy) equal, contrary, and mutually destructive.

The *Fellow-labourer* of this day has, indeed, candidly admitted, that the extermination of Mr. Luttrell is the *indispensable point*, if your other correspondent, who absolutely denies the position, will indulge me the phrase. Mr. Luttrell holds his seat by a very different title from a common determination in the case of a contested return. In the latter instance, the jurisdiction of the house is competent; nor has the constitution hitherto provided an appeal from their decision. In the case before us, a new and unheard of power is supposed to be usurped, and rights beyond the reach of the whole legislature, I mean the fundamental rights of the people, invaded by a third part of it. By this invasion Mr. Luttrell was seated; upon this principle the return was amended by the house, and his name inserted; and it is in consequence of that alteration that he still ranks as a member of parliament. As long, therefore, as he shall be permitted to sit there, so long will the principle be in force. For in the House of Commons, as in every other court, prove the jurisdiction to be incompetent to the case, and the adjudication falls to the ground.

It appears to me that both your correspon-

dents have contemplated this subject in too confined a view. For my own part, I think too highly of Mr. Wilkes's services to the state, and of the sacredness of our common cause, to wish either one or the other to be made a mere engine of party, or a scarecrow of opposition. But since the gentlemen from whom I dissent have delivered their sentiments concerning the effect which the proposed measure would probably produce in the House of Commons and in ministry, I too, in my turn, will venture to pronounce, that nothing is so ardently desired by either, as *a separation between the county of Middlesex and Mr. Wilkes.*

I am, Sir,
Your humble servant,
A LABOURER IN THE SAME CAUSE.

LETTER LXXVII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 19 *November*, 1770.

A FEW days ago I was in a large public company, where there happened some curious conversation. The secretary at war* was pleased to express himself with unusual simpli-

* Lord Viscount Barrington.

city and candour. He assured us that, after having carefully considered the subject, he did not know a single general officer (out of near an hundred now in the service) who was in any shape qualified to command the army; and for fear we should not believe him, repeated and inforced his assertion five several times. You will allow, Sir, that, at the eve of a foreign war, this is pretty comfortable intelligence for the nation, especially as it comes from authority. He gave us some consolation, however, by assuring us that he and General Hervey would take excellent care of the army, and compared himself (not unhappily), to an old woman curing an ague with the assistance of Doctor Radcliff.—I don't so much question Mr. Hervey's being able to give good advice, as that other little man's being either willing or able to follow it; but I should be glad to know which of them is to be responsible to the country for the management of the army, or whether they are invested with equal powers? Is Lord Barrington the marksman and General Hervey only the stalking horse? Or does the latter command, and that other only do as he is bid? This point, I think, ought to be explained; for if we don't know who commands the army, and any mischief should happen, the secretary at war and adjutant general will of course lay the

blame upon each other, and the nation never know which of them ought to be punished.

TESTIS.

LETTER LXXVIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *24 November*, 1770.

I HAVE never joined in the several censures which have lately been thrown upon Lord Barrington. The formal declaration he was pleased to make (for the information of the House of Commons and of this country), with respect to the shameful ignorance and incapacity of all the general officers, without exception, may, for aught I know, be extremely well founded; and if it were not so, I do not consider the viscount as a free agent. He undoubtedly meant no more than, as a dutiful servant, to obey the orders, and to express the sentiments of his royal master. The secretary at war, it is true, has a multitude of enemies, but the bitterest of them will not affirm, that he is positively an idiot, without a single ray of understanding. That would be going a *little* too far. Yet he must certainly be the very weakest of the human species, if without any plan or purpose whatsoever, he loaded himself with the

hatred and resentment of so large and powerful a body of men as the general officers. This, I think, is too absurd to be supposed. Yet I do not pretend to deny the fact. On the contrary, I mean to account for it upon clear and rational principles.—If it be the king's intention (as we have sufficient reason to think it is) to govern the army himself, (by which means the disposal of commissions, like every thing else, will ultimately centre in Carlton-House;) the first step is to possess the public with an opinion, that this measure is not of choice but necessity. When the secretary at war has informed the House of Commons, in the name of his gracious master (for it is not to be suspected that he spoke for himself,) that all his general officers were no better than drivellers, it follows of course that the secretary at war, with the adjutant general's advice, must be the ostensible manager of the army; and then you see, Sir, every thing goes on, as her royal highness the Princess dowager of Wales would have it.

Far be it from me to impeach his Majesty's judgment in military matters. Our gracious sovereign cannot possibly have a meaner opinion of his general officers than I have. Yet I own there is one circumstance that a little surprises me. These poor creatures, it is agreed

on all hands, have neither capacity nor experience; but one would think that, as soldiers and gentlemen, they might shew a little spirit when they are insulted. What,——will they go to court again, to bow, and cringe——and fawn upon * * * * * who orders his official servant to point them out to their country, as a knot of idiots—asses—mules—beasts of burthen!

This affair, Sir, (as many other circumstances do, and more important ones may do hereafter) puts me in mind of the sincere, honest, candid character of that pious prince, Charles the First. When a great number of the first people of this country had hazarded their lives and spent their fortunes in his defence, and when, in the last instance, they had formed a convention at Oxford, which, if not a parliament, was at least a meeting highly respectable, what return did they receive from that devout, religious, grateful monarch? He flattered them to their faces, and the next moment wrote to his wife that they were a base, mutinous set of mongrels, whom he was happy to get rid of.

TESTICULUS.

LETTER LXXIX.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 7 *Dec.* 1770.

A REPORT prevails that the late premier is very soon to be placed at the head of the admiralty.—I thought JUNIUS had fairly hissed him off the stage. But since he adventures again to appear before the public, let me do justice to his modesty and commend him for his discretion in sinking to an inferior character. I should be sorry to interrupt so natural a descent. By dropping gradually from part to part, he may in time arrive at something that will suit his capacity. Besides the moral fitness of reducing all men to their proper level, there will be a novelty in the public entertainment, when we see the same wretched stroller, who strutted yesterday in Othello, creeping upon the stage to-day in the shape of a candle-snuffer.

In the article of firmness I think this young man's character is universally given up; but I observe there is still an opinion maintained by some people, that, in point of ability, he is not deficient. For my own part, Sir, I never could discover upon what foundation that opinion rested. Let it be fairly tried by the two

great, decisive tests of the human understanding—*conduct* and *discourse*. These, I know, are sometimes at variance with each other. An ingenious man may act very absurdly, and we frequently see a dull fellow conduct himself with firmness and propriety. It is the duke's misfortune that he fails equally in both articles;—that he neither acts with judgment, nor speaks with ability. Look at his conduct from the outset;—I mean with a reference not to the treachery, but to the folly of the man. His earliest personal attachment in life was to the Duke of Portland;—that friendship he has foolishly dissolved, without succeeding in his purpose to oblige Sir James Lowther.—His first public connexion was with Lord Rockingham. That too is lost, together with the friendship of Lord Chatham, for which he sacrificed the marquis. For the solidity of his union with Lord Chatham he pledged himself to the public by some very uncommon declarations both abroad and in parliament. Yet from this union, and his subsequent friendship with Lord Granby and Lord Camden, the cajollery of the closet soon seduced him. His easy virtue is not made for resistance.—To support his last plan, we have seen him renounce not only all these successive connexions, but every political idea, opinion, and principle of his former life, and

throw himself, body and soul, into the arms of the Bedfords. Here at least he might have stopped, since there was not another party in the kingdom to which it was possible for him to transfer his affections. He had gone resolutely through the whole drudgery of the Middlesex election. He had paid Governor Burgoyne's expenses very handsomely by the sale of that patent to Mr. Hine, which the right honourable the House of Commons have not yet thought proper to inquire into. He had shewn fortitude enough to drop the prosecution of Mr. Vaughan, though urged, insulted, braved to it by every *stimulus* that could touch the feelings of a man; and, in conclusion, he had made himself *accessory* to the untimely death of Mr. Yorke.—I say *accessory*, because he was certainly not the principal actor in that most atrocious business. After all, Sir, when it was impossible for him to add to his guiltiness, a panic seizes him, he begins to measure his expectations by the sense of his deserts, a visionary gibbet appears before his eyes, he flies from his post, surrenders to another the reward due to his honourable services, and leaves his king and country to extricate themselves, if they can, from the distress and confusion in which he had involved them.

The danger, as he conceives, being now

pretty well over, what plan do you think this worthy, resolute young man pursues at present? While he was first lord of the treasury, it is well known, (and I speak from knowledge when I assert) that he never treated Lord North even with the common civility due to his clerk. I appeal to Lord North himself, and to every clerk in the treasury (particularly to Grey Cooper) whether it was not known to be a difficult matter for the chancellor of the exchequer to obtain an audience even of Mr. Thomas Bradshaw. Would you believe it possible, Sir, that, after these facts, this very Duke of Grafton can be so degraded, so lost to every sensation of pride, of dignity, and decorum, as to be a suppliant beggar for employment to this very Lord North? Yet so it is; and, if I were to tell you with what circumstances of humiliation he accompanies his suit to the minister, the narrative would be nauseous and fulsome. He is so very impatient to be first lord of the admiralty, that Lord North can hardly keep the fawning creature from under his feet.—Now, Sir, let any man living, I care not whether friend or foe, review this summary of his life, and tell us in what instance he has discovered a single ray of wisdom, solidity, or judgment?

As to the other test of his abilities, I mean his talent for talking in public, I can speak

with greater precision, for I have often had the honour of hearing him. With a very solemn and plausible delivery, he has a set of thoughts, or rather of words resembling thoughts, which may be applied indifferently, and with equal success to all possible subjects. There is this singular advantage in his grace's method of discourse, that, if it were once admitted that he spoke well upon any one given topic, it would inevitably follow that he was qualified to deliver himself happily upon every subject whatsoever. He would be *ipso facto* an universal orator. Accept of the following specimen of his grace's eloquence, and, I promise you, you will be as well able to judge of his oratorial powers, as if you had heard him a thousand times.

" My lords,

" When I came into the house this day, I protest I did not think it possible,—indeed I had formed in my own breast a resolution to the contrary—but, my lords, I really thought it impossible that I should be compelled to trouble your lordships with *my* poor thoughts upon the question before your lordships.—I never do presume to trouble your lordships at any time without always feeling a pain,—an internal regret,—a degree of uneasiness, which

I can with truth assure your lordships, (and I flatter myself that I shall find credit with every noble lord, who hears me,) it is not easy for me to have the honour of describing to your lordships. My lords, I am called upon, as I humbly conceive, and I appeal boldly not only to the candour of noble lords, but to your lordships severest judgment, whether I am not compelled to declare my sentiments, as explicitly as I now do, upon the motion upon your lordships' table. Upon this ground, my lords, I meet the noble lord without fear, though I respect his superior abilities, and I pledge *my*self to your lordships for the truth of what I assert. Otherwise, my lords, if facts were not as I have stated them, where will your lordships draw the line? My lords, I am really *as*tonished,—yet indeed, my lords, I ought not to be *as*tonished. The question has been handled with so much ability by other noble lords, that I shall content *my*self with this simple, unadorned declaration of my opinion. Yet I could quote cases, my lords, which I accidentally met with this morning in the course of my reading, which, I doubt not, would convince your lordships, if conviction were in question. But I fear I have troubled your lordships too long. I shall therefore return to the

leading proposition, which I had the honour of setting out with, and move for an immediate adjournment.

This style, I apprehend, Sir, is what the learned Scriblerus calls *rigmarol* in logic,—*riddlemeree* among schoolboys,—and in vulgar acceptation, *Three blue beans in a blue bladder.* It is the perpetual parturience of a mountain, and the never-failing delivery of a mouse.

I am, Sir,

Your humble servant,

DOMITIAN.

LETTER LXXX.

For the Public Advertiser.

13 *Dec.* 1770.

CHAPTER OF FACTS, OR MATERIALS FOR HISTORY.

1. The House of Lords, justly offended at the accuracy and precision, with which a certain noble duke's oration * has been delivered to the public, and concluding that the very words must have been taken down in writing, by some foreign enemy, have determined to preserve the honour of their members, and the credit of their eloquence, by ordering *all* strangers to be carefully excluded.

2. But not to give offence, the exclusion is

* See the preceding letter. EDIT.

made general; their lordships very properly considering that the members of the House of Commons are no more fit to be trusted with the debates of a public assembly, than the spies or emissaries of a foreign ambassador, or so many Jesuits in disguise.

3. The right honourable the speaker of the House of Lords was pleased to summon all the lords to attend on Monday last, on purpose to inform their lordships collectively in what corner of the house each lord separately might find waste paper for his necessary occasions. N. B. It seems to be the fate of this unhappy paper (which always brings nasty ideas with it) to be produced in a most unseemly manner. In the court of King's Bench, the introduction of it was allowed to be *irregular*, *unprecedented*, and EXTRAJUDICIAL.—In the House of Lords, it was only silly and ridiculous.—What a strange antipathy some men have to a record! When they dare not *erase*, they fairly take post and *travel out of it.*

4. The bill for regulating contested elections was strenuously opposed by Lord North and the rest of the king's servants. Yet every one of the Judges who went the circuit last summer, instead of instructing the several grand juries in the old, legal, constitutional way, were ordered to sound the praises of the House of

Commons for their singular virtue in passing this and the privilege bill. And now let it be observed, that, in the first instance of the operation of this new law (the Shoreham election) not one of the ministers attended. Yet, intrusted as they are with the executive power of the state, it is *their* particular duty to attend, to facilitate, and inforce the execution of the laws:—and these are the people who deafen us with their complaints of the licentiousness of the times, and the total want of respect into which the laws are fallen.

5. So far from performing this duty, it is a fact notorious that one Purling, a *Caribbee*, has been encouraged by ministry to introduce a third candidate at Shoreham, and to give him *four* of his own votes, in order that by having *two* petitions preferred (a case not expressly provided for by the act) this wise, this salutary law may be defeated in the first instance, and have a contempt thrown upon it.

6. Let it be known to posterity that when Lord Mansfield was attacked with so much vehemence in the House of Commons on Thursday the 6th instant, not one of the ministry said a word in his defence. Nobody spoke for him but the Carlton-house junto—Jenkinson and Sir Gilbert. (N. B. *Mungo is sick.*) Even Mr. George Onslow, who in general is not very

scrupulous, confined himself to the defence of Mr. Baron Smythe, and did not utter a syllable in favour of poor Mansfield. These facts shew plainly, 1. How the Carlton-house connexion hangs together. 2. That Lord North himself is not over and above pleased with the closet influence of the CHIEF JUGGLER.

The great Lord Camden did yesterday (11th of December, 1770) address himself directly to Lord Mansfield, and declare that he considered the paper delivered in by that Lord as a challenge to himself, which he accepted, that the glove was thrown down, and he took it up.—That he was ready to meet him in defence of the laws of this country, and vehemently urged that a day might be fixed for debating the matter. But notwithstanding every possible instance made by the minority lords, the chief justice shrunk from the combat, and would not fix any day.

LETTER LXXXI.

For the Public Advertiser.

14 *Dec.* 1770.

SECOND CHAPTER OF FACTS, OR MATERIALS FOR HISTORY.

1. THE Earl of Chatham having asserted, on Tuesday last, in the House of Lords,

that Gibraltar was open to an attack from the sea, and that, if the enemy were masters of the bay, the place could not make any long resistance, he was answered in the following words by that great statesman the Earl of Sandwich: "Supposing the noble lord's argument to be well founded, and *supposing Gibraltar to be now unluckily taken*, still, according to the noble lord's own doctrine, it would be no great matter. For although we are not masters of the sea at present, we probably shall be so sometime or other, and then, my lords, there will be no difficulty in retaking Gibraltar." N.B. This earl is a privy counsellor, and appeared to have concerted this satisfactory answer with Peg Trentham at the fire-side.

2. Sir Edward Hawke, on Wednesday last, gave the House of Commons a very pompous account of the fleet. Being asked why, if our navy was so numerous and ready for service, a squadron was not sent to Gibraltar and the West Indies? his answer was candid;—"That for his part he did not understand sending ships abroad, when, for aught he knew, they might be wanted to defend our own coast."—Such is the care taken of our possessions abroad!—One great minister tells us they may be easily retaken;—another assures us that they cannot be defended. Will that man who sleep-

eth never awake, until destruction comes upon him! Has he no friend, no servant, to draw his curtain, until Troy is actually in flames!

3. Lord North informed the House of Commons on Wednesday that, although he wished for an honourable accommodation, he thought it his duty to tell the house, that he feared *war was too probable:* that he intended to move for a farther augmentation of ten thousand seamen, and that, at any rate, he should advise the keeping up the naval and military force upon the augmented establishment, for that, notwithstanding the language held by the French and Spanish ministers, there was, all over France and Spain, the greatest appearance of hostile preparations.

4. The riot in the House of Lords has shocked the delicacy of Sir Fletcher Norton. Upon occasion of some clamour yesterday, he called to them with all the softness of a bassoon; *pray, gentlemen, be orderly; you are almost as bad as the other house.*

5. On Tuesday last, Lord Camden delivered into the House of Lords a paper containing three questions, relative to the doctrine laid down in Lord Mansfield's paper, which he desired that lord would answer, if he could. Lord Mansfield was very angry at being taken by surprise upon a subject he had never had an

opportunity of considering, and that he valued the constitutional liberty of the subject too much to *answer interrogatories*.

LETTER LXXXII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 17 *December*, 1770.

As far as assertion goes, no man argues better than your correspondent *Nerva**.

* *Nerva* was a writer in favour of Lord Mansfield upon the subject of his conduct in the cause of the king against Woodfall for printing JUNIUS's letter to his Majesty; as well as for his posterior proceedings in the House of Peers upon the matter of this cause; in the course of which he thought proper, as has been observed already, to summons the house specially, in order to afford him an opportunity of fully explaining himself upon this point; an opportunity, however, of which he was even at last afraid to avail himself. See Vol. I. p. 15.

The letter of *Nerva*, above alluded to, was addressed to Lord Chatham, and appeared in the Public Advertiser, Dec. 14, 1770. The following is a copy.

For the Public Advertiser.

TO THE RIGHT HON. LORD CHATHAM.

MY LORD, 14 *December*, 1770.

I SAW on Monday, in a certain great assembly, the most striking contrast of character that ever was exhibited

If we are contented to take his word for proof, Lord Chatham is a hare-brained, desperate old

on any public occasion. On the one hand, decency, propriety, dignity, wisdom and temper; on the other, presumption, insolence, absurdity, meanness, folly, ignorance and rancour. Your lordship sat for one of the pictures, and I am sorry to say, it was not for the best. To speak without metaphor, what demon, save the demon of malice, could inspire you with an objection to the fair, the equitable information which Lord Mansfield offered to the house? The proposal itself, the terms in which it was conceived, would have conciliated a barbarian; but your animosity is worse than a barbarian's, and betrays the principle from which it springs! In an unprecedented, extrajudicial, captious and insidious manner, you had taken occasion to censure that great man's opinions in the court of justice where he presides. Though you endeavour to take him by surprise, that you might catch at some unfair advantage from his answer, you were baffled and disappointed. He answered you with the noble simplicity of innocence, and the wisdom that never forsakes the *mens conscia recti*. He fairly stated his opinions, and the principles on which they were grounded, and, without recrimination, he threw down his glove to you, and to all, daring you to convict him of an error, upon fair and legal argument.

He did more; to prevent that misrepresentation and misconstruction which might arise from words spoken, he delivered to the house the opinion given by him in court in the case alluded to in writing; candidly and formally declaring, that he meant to ground no motion upon it, but merely for the information of every member, that those who had not steeled their minds against conviction, might be convinced how falsely the censure had been made, and that your lord-

fellow, and Lord Mansfield the very quintessence of integrity, wisdom, moderation and

ship and your party might have a more open ground of objection to the doctrine which the writing contained.

When I give this account of Lord Mansfield's reasons for submitting this paper to the house, I do wrong to the moderation of his expressions; but I speak to a man whose conscience tells him, that the distinction between him and those who are open to conviction, is but too well founded. Be that as it may, one would have thought you could wish for nothing more, than that a person whose doctrines you arraigned should give them under his hand, and dare you to the trial of their truth. Instead of closing with the proposal, you rose up and objected to the delivery of the paper as informal; but it is no new thing with you, after you have made a malicious and groundless attack, when you see it likely to produce consequences, to shrink back, and shelter yourself under some pitiful evasion; catching at form, or any other twig, to save you from the effects of your own folly and ill-nature.

But if you had made an end here, your audience had gone away, convinced only, that you were happy to get out of the scrape into which you had brought yourself by your unprecedented and unjust attack on Lord Mansfield. But as if you were determined that every man who hears you should bear witness to your rambling inconsistency and ignorance, you did not make an end here. After having affirmed that the paper could not be received, after declaring you knew not what was censured in the proceedings of the courts of justice, nor against whom in particular that censure was directed; after having declared also your ignorance of what the paper contained, you entered into a discussion of

firmness. I wonder he did not assure us on the same foundation, that this worthy judge never

its contents. You said the paper contained an extrajudicial and unprecedented opinion, and that the judgment was not warranted by the record, and the two motions on which the judgment was to operate. All this you asserted in terms unbecoming the place in which you stood, unbecoming the person to which they were addressed, and highly improper to be used by one who spoke about what he did not understand. All the world knows that you are ignorant of every science. This country severely smarts, and will long severely smart for your ignorance in politics and finance. Your ignorance of the law may not perhaps produce such fatal consequences, but it was such on the occasion I speak of, that your dependant, the man who has sold himself to you soul and body, who trembles at his tyrant's frown, durst not say a word in defence of your position, nor even, by a distinction, endeavour to shade the glare of your absurdity.

I know you are not ashamed of the grossest ignorance and absurdity; but I would ask you one question. When the great man, whom you had treated so injuriously, rose up to explain, and with the most amiable moderation, and intuitive perspicuity, pointed out your mistake, and rectified your blunder, had you no feelings of remorse for your injustice towards him? Did you not *see how lovely virtue was, and mourn your loss?* Did not the demon of faction and malice retire dejected from your heart, and leave you in the momentary possession at least of better angels? If not, you are unhappy indeed! But I err. Perhaps your familiar whispered to you, that your opponent's temper was an argument of his contempt; and to sting you to madness, suggested that your brutal violence was unable to ruffle the steady tenor of

drank the Pretender's health upon his knees; or that his brother was not secretary to that

his soul. I own this were a galling reflection to a man of your pride; but pride, like yours, must suffer every indignity.

If this was his motive for calmness and moderation, it was taking indeed vengeance, but a heroic vengeance. Were it your fortune to catch him at a fair advantage (an event which can never happen), how differently would you use it! With what vehemence would you not press it home! How would you exaggerate a molehill to a mountain, and call heaven and earth to witness, that the nation was ruined, and our liberties at an end! But all men are not born to be heroes, nor all men candid, just, or wise. You, my lord, have imposed long enough on the world; your faculties have been greatly misjudged; your organs have been mistaken for talents, your facility and versatility for parts, your boldness (I could give it a harsher name) for knowledge, and your precipitation for dispatch. You are a memorable exception to the general rule of humanity, for years and exercise have not endowed you with experience or wisdom, and you possess, together with the cold heart of age, the hot brain of rash and intemperate youth. Already hath your furious prodigality brought this nation to the brink of ruin. Do not persist in your impious intention to accomplish what you have already well nigh performed. Retire from the stage, and try in retirement to repent of the evils you have brought on your country. If your proud heart cannot brook the idea of sincere repentance, let the repeated defeats which you have lately suffered in the prosecution of your outrageous designs, teach you to assume a virtue though you have it not.—By that appearance of contrition, and by that only, you may soften the odium which must attend you to the grave, and

most catholic prince; or that Peg Trentham's father had not his left foot in the stirrup in the year 1715, to go off to what he thought the best side of the question: all this too I suppose we shall be told is mere fiction, mere inference of law, and the suggestion of the devil; but setting aside ornament, let us look a little to matters of fact.

For what reason Lord Mansfield laid his paper upon the table, he best knows. He gave none to the House of Lords, except that he thought calling them together was the most compendious way of informing them where each lord might, if he pleased, procure a copy of his charge to the jury in Woodfall's cause. This was the whole, for he made no motion whatsoever, nor did he pretend to say that, in their corporate capacity as a House of Peers, they could take the least notice of the paper. Now, Sir, it remains with Lord Mansfield to give us an example, if he can, of any respectable peer having ever moved for a call of the house for so trifling, so nugatory, so ridiculous a purpose. I think it strongly deserves these epithets, and after much consideration I can find but one possible way of reconciling the fact

alleviate the load of indignation which posterity will lay on your memory.

EDIT. NERVA.

with the cunning understanding of the man. When he summoned the house he never meant to do what he afterwards did; some qualm, some terror intervened, and forced him hastily to alter his design, and to substitute a silly, absurd measure in the place of a dangerous one. As for his having dared Lord Chatham to a trial of his doctrines, I should be glad to know by whom the combat was refused. Lord Chatham attacked him directly upon the spot, and on the very next day it is known to the whole world, that the great Lord Camden addressed him in the following words: "I consider the paper delivered in by the noble lord upon the woolsack as a challenge directed personally to me, and I accept of it;—he has thrown down the glove, and I take it up. In direct contradiction to him, I maintain that his doctrine is not the law of England. I am ready to enter into the debate whenever the noble lord will fix a day for it. I desire, and insist, that it may be an early one."—The devil's in it if this be declining the trial: but what was the consequence? Lord Mansfield, after an hour's shuffling and evasion, finding himself pushed to the last extremity, cried out in an agony of torture and despair, *No, I will not fix a day—I will not pledge myself.*

As to Lord Chatham's declaration concern-

ing the irregular production of Lord Mansfield's opinion in the court of King's Bench, I am sorry to say that your correspondent *Nerva* neither knows the fact, nor understands the argument. He talks of a judgment in a cause where no judgment was ever given. Leaving therefore this poor man to his own unhappy reveries, let me state briefly to the public what was the fact, and what was the irregularity of the proceeding upon it.

The verdict given at *Nisi Prius* in the king and Woodfall was, *guilty of printing and publishing only**. A motion in arrest of judgment was made by the defendant's counsel, grounded upon the ambiguity of the verdict. At the same time a motion was made by the counsel for the crown, for a rule upon the defendant to shew cause why the verdict should not be entered up according to the legal import of the words. On both motions a rule to shew cause was granted, and soon after the matter was argued before the court of King's Bench. Lord Mansfield, when he delivered the opinion of the court upon the verdict, went regularly through

* The whole of this paragraph is taken from a speech of Lord Chatham, as quoted by JUNIUS in his preface, Vol. I. p. 28. See also in relation to the same, Lord Mansfield's charge to the jury, on the trial here alluded to, in the editor's note, ibid. p. 16. EDIT.

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the whole of the proceedings at *Nisi Prius*, as well the evidence that had been given, as his own charge to the jury. This proceeding would have been very proper had a motion been made of either side for a new trial, because either a verdict given contrary to evidence, or an improper charge by the judge at *Nisi Prius*, is held to be a sufficient ground for granting a new trial; but when a motion is made in arrest of judgment, or for establishing the verdict, by entering it up according to the legal import of the words, it must be on the ground of something appearing *on the record;* and the court, in considering whether the verdict shall be established or not, are so confined to the record, that they cannot take notice of any thing that does not appear on the face of it; to make use of the legal phrase, *they cannot travel out of the record.* Lord Mansfield did travel out of the record. I affirm therefore with Lord Chatham, that his conduct was *irregular*, *extrajudicial*, and *unprecedented;* and I am sure there is not a lawyer in England that will contradict me. His real motive for doing what he knew to be wrong, was, that he might have an opportunity of telling the public extrajudicially, that the other three judges agreed with him in the doctrine laid down in his charge.

When you have read this paper, I am sure

you will join with me in opinion, that to support an uniform system of falsehood requires greater parts than even those of Lord Mansfield.

PHALARIS.

LETTER LXXXIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

24 December, 1770.

SIR,

WITHOUT attempting to account for all political changes, which have happened since his Majesty's auspicious accession to the throne, it requires but little sagacity to observe that the general principle, from which they have arisen, is uniform and consistent with itself. A prince of the House of Brunswick searches for the consolation and endearments of private sociality and friendship in the loyal hearts of jacobites, tories, and Scotchmen:—a devout prince, whose sincere, unaffected piety would have done honour even to Charles the First, intrusts the public government of his affairs to Grafton, North, Halifax and Sandwich. The first choice naturally led to the second. The private convivial hours of Jonathan Wild were happily unbent in the company of the lower adepts in pilfering and petty larceny. In pub-

lic, he resumed his state, and never appeared without an attendant knot of highwaymen and assassins.

I congratulate this country upon the return of the Earl of Sandwich to a station, in which he has heretofore given complete satisfaction to his royal master*. It is the more pleasing, because it was unexpected. A gracious and a truly religious prince had often declared that this was the only man in his dominions, whom he never would suffer to enter the cabinet. He was tender of the morals of his ministers, and the Bedfords had delicacy enough to acquiesce in the truth of the objection. I feel for his Majesty's distress. To what a melancholy condition must he be reduced, when he is forced to apply to the Earl of Sandwich as the last resource, the only prop remaining to stop the fall of government? Lord Weymouth, it seems, retires perfectly satisfied, and determined to support men and measures as vigorously, as if he had continued in employment. Good humoured creature! What a pity it is, that he cannot submit to the drudgery of receiving seven thousand pounds a year! The king presses him to

* The office of foreign minister, vacant by the removal of the Earl of Rochford to the home department, and which, before its occupation by the latter, had been held for two or three years by Lord Viscount Weymouth. EDIT.

accept of some other post, where there is neither labour nor responsibility;—any thing, in short, provided he will not fling the public mortification upon his royal master, of quitting his service, at so critical a conjuncture.—Still he resists;—still he refuses; but though he quits all connexion with ministers and their practices, it is impossible to interrupt his complacency and good-humour.—By this nobleman's retreat, the nation has made some capital acquisitions. To say nothing of my Lord Sandwich, what do you think of the amiable Mr. Bamber Gascoyne, and that well educated, genteel young broker, Mr. Chamier*? The first is to thunder in the senate:—the second, in quality of secretary, is to direct the most secret and important manouvres of government.—Well done, my Lord Sandwich!—Your company, I'll be sworn, will be no reproach to you. But was there no employment to be found for Tommy Bradshaw's sister†, as well as his brother-in-law? She too understands the disposal of places;—at least

* Chamier was afterwards appointed chief secretary to Lord Barrington, through the interest of Mr. Bradshaw and his master the Duke of Grafton, at that time again in administration, as lord privy seal. See Private Letters, No. 56. EDIT.

† See Miscellaneous Letters, Nos. LXXI. and LXXIV. EDIT.

his fraternal affection has given her the credit of it.—

Give me leave, Mr. Woodfall, to ask you a serious question. How long do you think it possible for this management to last? How long is this great country to be governed by a boot and a petticoat?—by the infamous tools of a Scotch exile, and her royal highness the Princess Dowager of Wales?—by North, Ellis, Barrington, Jenkinson, Hillsborough, Jerry Dyson, and Sandwich? I will answer you with precision. It will last, until there is a general insurrection of the English nation, or until the House of Bourbon have collected their strength and strike you to the heart.

DOMITIAN.

P. S. Tell the Duke of Grafton, that, if he should dare to entertain the most distant thought of the admiralty, the whole affair of *Hine's patent* shall be revived and published, with an accumulation of evidence. *He* at least shall be kept under. His Ciceronian eloquence shall not save him.

LETTER LXXXIV.

For the Public Advertiser.

20 *December*, 1770.

A CARD.

PHALARIS presents his compliments to Sir —— ——, is preparing for the press a faithful account of Mr. Justice's amours with the Lady Williams; and as he wishes not to give a plain narrative too much the air of a romance, would be very glad to be furnished with any material facts, which Mr. Justice may think proper to have inserted: but in order not to give Mr. Justice any unnecessary trouble, *Phalaris* thinks it proper to apprise him of those circumstances, in which he *(Phalaris)*, is already particularly instructed, viz. How Mr. Justice was distressed for want of practice; how he was impatient at trying a long cause in a hot day at Hereford; how he made a declaration at a public dinner, confirmed by execrations, that he would marry the devil with money, rather than practise the law without it; how he was introduced to Lady Williams; how, upon sufficient deliberation, he preferred her ladyship to the devil; how he explained his tender passion; how, with a gallant impatience, he has-

tened the marriage ceremony before he saw the writings of her estate; how he stepped into a hackney coach, one fine morning, in a suit of white cloth lined with green velvet; how he had a levee of visitors at his gate the day after his auspicious nuptials; how Lady Williams complained next morning; how she retired to her country seat near Hereford; how Mr. Justice pursued her in company with a certain strong lady with a strait waistcoat; how both parties, with great cordiality, signed articles of separation; and how Mr. Justice retired to Ireland, without taking leave of his friends.

Phalaris hopes Mr. Justice will have no objection to the following motto:

Felices ter, et amplius,
Quos irrupta tenet Copula,

LETTER LXXXV.

For the Public Advertiser.

INTELLIGENCE EXTRAORDINARY.

9 *January*, 1771.

Sir Edward Hawke resigned this morning. The Earl of Sandwich is to succeed to the admiralty.—His Majesty, who judges of men by their moral characters, has discovered

at last that this nobleman is as well qualified for one post as another. His religion would do honour to a mitre. If he were Archbishop of Canterbury, the Princess Dowager of Wales could not do better than make him her father confessor. In the primitive spirit of christianity, *they might confess to one another.* Who is to be secretary of state is not yet known; for we all agree that Lord Suffolk* has too much sense and spirit to prostitute his virgin character in such a ******* as St. James's.—When a beautiful woman yields to temptation, let her consult her pride, though she forgets her virtue. —To be corrupted by such a maquereau as Whately would turn the appetite of Moll Flanders. This poor man, with the talents of an attorney, sets up for an ambassador, and with the agility of Colonel Bodens undertakes to be a courier. Indeed, Tom! you have betrayed yourself too soon.—Mr. Grenville, your friend, your patron, your benefactor, who raised you from a depth, (compared to which even Bradshaw's family stands on an eminence), was hardly cold in his grave, when you solicited the office of go-between to Lord North. You could not, in my eyes, be more contemptible, though you were convicted (as I dare say you might

* See Miscellaneous Letters, No. xcvi. and xcvii.

be), of having constantly betrayed him in his lifetime.—Since I know your employment, be assured I shall watch you attentively. Every journey you undertake, every message you carry, shall be immediately laid before the public. The event of your ingenious management will be this,—that Lord North finding you cannot serve him, will give you nothing. From the other party, you have just as much detestation to expect as can be united with the profoundest contempt. Tom Whately, take care of yourself*!

LETTER LXXXVI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 11 *January*, 1771.

YOUR correspondent *W.* is equally unfortunate in his attack upon JUNIUS and his defence of Lord Mansfield. JUNIUS does not enter into the particular merits of the Grosvenor cause, but strikes at the general doctrine delivered by the judge in his charge to the jury;—viz. *that, in a prosecution for criminal conversation, the jury, when they assess the damages, are not to regard the quality and fortune*

* Mr. Whately had been private secretary to Mr. G. Grenville. EDIT.

of the parties, but are to consider the question abstractedly as a question between A. *and* B. If this doctrine be true in one instance, it will be applicable to every case of criminal conversation; and the consequences of it will be, that a nobleman with ten thousand a year shall pay no greater damages than a peasant, who labours for a shilling a day; or, *vice versa*, that the seduction of a duchess and of a milliner stand upon the same footing, in regard to the compensation due to the injured husband.—In a moral view, I confess, the crime is the same. The punishment annexed to it, though not matter of positive law, cannot be regulated by the rules of morality. It must depend on custom, reputation, and the circumstances of the case. The equity of the verdict must be measured by the distinctions of rank and fortune, admitted and established in society, since it is evident that the penalty or satisfaction sufficient for one man, might hardly be felt by another. It is the general doctrine of Lord Mansfield, which JUNIUS very truly calls false and absurd; and I know that it was received in Westminster-hall with universal shame and astonishment.

As to the idea of Lord Mansfield's inclining to favour Lord Grosvenor, it is so preposterously false and ridiculous, that it would be entirely undeserving of notice, but for one

consideration; viz.—that, if it were true, it stabs the chief justice to the heart.—Lord Mansfield is charged with gross and infamous partiality to the defendant;—the defence made for him is, that he was grossly and infamously partial to the plaintiff.—Let his friends take their choice. Every honest man will equally despise and detest such a judge, which ever way his bad passions incline him.

As to the merits of the Grosvenor cause, they are of no consequence in the present question. If it be necessary, however, I am ready to maintain that the verdict was supported by the evidence, and the damages very moderate. If not, why did not Mansfield order a new trial? When time, and place, and circumstance are proved, there remains but one possible plea for the Duke of Cumberland; and that, by the by, is rather a whimsical one, applied to a boy of one and twenty. Yet, for aught I know, it may be very true, that with all his attention to the *dear little hair*, he was incapable of taking the fairest opportunity by the forelock.

ANTI-W.

LETTER LXXXVII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 17 *Jan.* 1771.

If Sir Edward Hawke had followed the advice and example of his friends he would not have been reduced to the dishonourable necessity of quitting the direction of the English navy, at the very moment it is going to be employed against the foreign enemies of England. To be left in employment after Chatham, Granby, and Camden had retired;—to continue in it in company with Grafton, North, Gower, and Hillsborough;—and at last to be succeeded by Lord Sandwich, are circumstances too disgraceful to admit of aggravation. It is natural to sympathise in the distresses of a brave man, and to lament that a noble estate of reputation should be squandered away in debts of dishonour contracted with sharpers.

His Majesty, God bless him! has now got rid of every man whose former services or present scruples could be supposed to give offence to her royal highness the Princess dowager of Wales. The security of our civil and religious liberties cannot be more happily provided for than while Lord Mansfield pronounces the law, and Lord Sandwich represents the religion of

St. James's. Such law and such religion are too closely united to suffer even a momentary intervention of common honesty between them. Her royal highness's scheme of government, formed long before her husband's death, is now accomplished. She has succeeded in disuniting every party, and dissolving every connexion; and, by the mere influence of the crown, has formed an administration, such as it is, out of the refuse of them all. There are two leading principles in the politics of St. James's, which will account for almost every measure of government since the king's accession. The first is, that the prerogative is sufficient to make a lackey a prime minister, and to maintain him in that post, without any regard to the welfare or to the opinion of the people.—The second is, that none but persons, insignificant in themselves, or of tainted reputation, should be brought into employment. Men of greater consequence and abilities will have opinions of their own, and will not submit to the meddling, unnatural ambition of a mother, who grasps at unlimited power, at the hazard of her son's destruction. They will not suffer measures of public utility, which have been resolved upon in council, to be checked and controuled by a secret influence in the closet. Such men consequently will never be called upon but in

cases of extreme necessity. When that ceases, they find their places no longer tenable. To answer the purposes of an ambitious woman, an administration must be formed of more pliant materials,—of men, who, having no connexion with each other, no personal interest, no weight or consideration with the people, may separately depend upon the smiles of the crown alone for their advancement to high offices, and for their continuance there. If such men resist the princess dowager's pleasure, his majesty knows that he may dismiss them without risking any thing from their resentment. His wisdom suggests to him that, if he were to choose his ministers for any of those qualities which might entitle them to public esteem, the nation might take part with them, and resent their dismission. As it is, whenever he changes his servants he is sure to have the people, in that instance, of his side.

I love and respect our gracious sovereign too much to suppose it possible that *he* should be any thing more than passive in forming and supporting such a system of government; and even this acquiescence of the best of princes I am ready to attribute to a most amiable quality implanted in him by nature and carefully cultivated by art,—unlimited duty and obedience to his dear mother.—Few nations are in

the predicament that we are, to have nothing to complain of but the filial virtues of our sovereig.—Charles the First had the same implicit attachment to his spouse;—but his worthy parent was in her grave. It were to be wished that the parallel held good in all the circumstances.

In respect to her royal highness, I shall deliver my sentiments without any false tenderness or reserve. I consider her not only as the original creating cause of the shameful and deplorable condition of this country, but as a being, whose operation is uniform and permanent;—who watches, with a kind of providential malignity, over the work of her hands to correct, improve, and preserve it. If the strongest appearances may be relied on, this lady has now brought her schemes to perfection. Every office in government is filled with men who are known to be her creatures, or by mere cyphers incapable of resistance. Is it conceivable that any thing, less than a determined plan of drawing the whole power of the crown into her own hands, could have collected such an administration as the present?—Who is Lord North?—The son of a poor unknown earl;—who four years ago was a needy commissioner of the treasury for the benefit of a subsistance, and who would have accepted a commission of

hackney coaches upon the same terms. The politics of Carlton-house—Finances picked up in Mr. Grenville's anti-chamber, and the elocution of a Demosthenes endeavouring to speak plain with pebbles in his mouth, form the stuffing of that figure, that calls itself minister, that does homage to the princess dowager, and says, *Madam, I am your man.*

The stage was deprived of a promising actor when poor Lord Hillsborough gave his mind to politics. Yet his theatrical talents have been of use to his fortune. The princess dowager saw what part this man was capable of acting; and with regard to himself it signified but little whether he represented Prince Volscius at Drury-lane, or secretary of state at St. James's.

It is not pretended that Lord Rochford's abilities are of the *explicit* kind. Yet from a *charge d'affaires* at Turin, the all-powerful guiding hand has raised him to be secretary of state. The princess dowager knows, better than we do, what positive good qualities this nobleman possesses. The public only knows that he is a mute in the House of Lords, and that he is destitute of fortune, interest, and connexions. To do him justice, he has all the negative qualifications that constitute merit at Carlton-house.

The character of third secretary is not yet

disposed of. Public suspicion gives Lord Hillsborough a formidable rival. At the opening of the theatre young Suffolk is to be produced. Prince Prettyman can cant very near as well as Prince Volscius. Such a pair of actors make tragedy ridiculous. Our enemies at least will laugh at the catastrophe. But this young man shall be left for abler hands. It requires no vulgar pen to do justice to such a strain of monstrous prostitution.

Why is that wretched creature Lord Townshend maintained in Ireland? Is it not universally known that the ignorance, presumption, and incapacity of that man have ruined the king's affairs in Ireland?—that he has, in a great measure, destroyed the political dependance of that country upon Great Britain?—But he too is an unconnected being, without any hope of support but in the protection of Lord Bute and the princess dowager.

Why is not a commander-in-chief appointed? Because there is an insignificant secretary at war, who has no chance of continuing in the receipt of £2500 a year, but by making himself the instrument through which the princess dowager disposes of every valuable commission in the army.

Why have we not a master-general of the

ordnance? Because the gentle Conway knows how to be as pliant as Lord Barrington.

Why is there no chancellor? Partly because there is a convenience in bribing four of the judges with the emoluments of that office, and partly because no man of credit in the profession will submit to act with the present infamous administration.

What merit has Lord Halifax?—The issue of general warrants;—the opposition of his privilege for years together to the laws of his country;—prostitution in private life, and poverty in the extreme.

Why is the king so fond of having Lord Bristol *about his person?* If the duties of the noble lord's office had a closer connexion with the title of it, as usually pronounced, I should understand his Majesty, and admire his attention in paying so delicate a compliment to his lordship's amours. The last question I would ask is, by what kind of service or ability the Earl of Sandwich is distinguished? Prostitution and poverty may be found in other subjects, and appearances saved by a decent formality of behaviour. The choice and preference of the most profligate character in the kingdom may suit well enough with the substantial purposes of Carlton-house, but how

does it consist with the hypocritical decorum of St. James's? What opinion are we to entertain of the piety, chastity, and integrity of the best of princes, when, in the face of England and of all Europe, he takes such a man as Sandwich to his bosom!—Let us hear no more of the piety of St. James's.—To talk of morals or devotion in such company is a scandalous insult to common sense, and a still more scandalous mockery of religion.

The Princess Dowager having now carried her plan of administration into effect, it is not to be wondered that she should be very unwilling to expose herself and her schemes to the uncertain events of a foreign war. She knows that a disaster abroad would not only defeat the cunning plan of female avarice and ambition, but that it might reach farther.—The mothers of our kings have heretofore been impeached; and if the precedents are not so complete as they should be, they require and will admit of improvement.

To maintain this lady in her present state of power and security, there is no insult, no indignity, to which the king of Britain must not submit,—no condition, however humiliating, which the king and the nation must not accept of without resentment.—At this point however her cunning forsakes her. Both she and her

ministers deceive themselves grossly if they imagine that any concessions can secure peace with an enemy determined upon war.—She may disgrace the English nation. She may dishonour her son, and persuade him to forfeit his right to precedence among the sovereigns of Europe. The man who receives a blow, and does not return it (whether he be a king or a private person) from that moment stands degraded from his natural rank and condition. If he be a young man, his infamy is immortal. —Yet I am ready to confess that where two nations upon the whole are peaceably disposed, there is a degree of slight, and ill humour, and even of injury, which, for the sake of peace, may and ought to be dissembled: but a direct, positive, intended insult must always be resented. To flatter ourselves that the moderation of the Spaniards will be proportioned to our forbearance, or that, because we have submitted tamely to one affront, they will therefore avoid offering us a second, would be arguing in contradiction to all reason and experience. If Falkland Island had never existed, the rancour of the Spaniards would not have failed to discover itself in some other mode of hostility. Their whole history, since the accession of Philip the Vth, is a continued proof of a rooted antipathy to the name of English-

man; and I am justified, by a series of indisputable facts, in affirming that from the treaty of Utrecht to this hour, there has never been a single instance of common justice or decency, much less of cordiality or friendship in the conduct of the court of Madrid towards this country. Lord Sandwich declared a month ago, in full parliament, that Gibraltar was a place of no consequence, and immediately afterwards the Princess Dowager makes him secretary of state. Whoever compares the sale of Dunkirk with this nobleman's character, must be very much of a sceptic, if he entertains any doubt about the fate of Gibraltar. But neither this sacrifice, nor even that of Jamaica, would be sufficient to produce a solid, permanent union with Spain. They may despise us more, but they will never hate us less.

By the Princess Dowager's management, instead of avoiding a war we make it certain. A little spirit at first might perhaps have intimidated the Spaniards. Our notorious weakness and shameful submission have only served to encourage and confirm them in their resolution. In point of honour, we have let the proper moment of resentment pass away. The royal and national honour is so irretrievably stained, that it cannot now be recovered by the most vigorous measures of revenge.—From

her royal highness's government in time of peace, we may well conclude in what manner she will conduct a war. Gifted as she is, she could hardly fail of success, if the quarrels of nations bore any resemblance to domestic feuds, or could be conducted upon the same principles. The genius of Queen Elizabeth united the nation, collected the strength of the people, and carried it forward to resistance and victory. When the dæmon of discord sits at the helm, what have we to expect but distraction and civil war at home, disgrace and infamy abroad!

DOMITIAN.

LETTER LXXXVIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 13 *Feb.* 1771.

I READ with astonishment, and no small indignation, a letter which is at last got into your paper, I mean that from Lord Weymouth to Mr. Harris*. The copy which you

* This letter refers to the much agitated dispute concerning the Malouine, or Falkland's Islands, which, without any formal recognition, had, for many years after their first occupation by Captain Byron in 1765, been quietly suffered by Spain to remain in the hands of his Britannic Majesty, who had erected a small fort on the coast of the chief of them

have procured I know to be authentic, having read it amongst the papers laid by adminstra-

them named Port Egmont. In June, 1769, however, without any complaint or notice on the part of the Spanish government to the court of St. James's, a forcible debarkation was effected on the coast of Port Egmont by a Spanish armament from Port Solidad in Buenos Ayres, the whole mass of islands was claimed by the commander of the expedition in the name of his most Catholic Majesty, whose right was formerly asserted to the whole Magellanic region; the small body of English troops stationed at Port Egmont was compelled to submit, and turned adrift from the island in two English frigates, which chanced to be in the harbour, to make the best of their voyage home, and relate the history of this extraordinary adventure.

The English ministry heard the account with indignation; and the letter from Lord Weymouth to Mr. Harris, the resident minister at the court of Madrid, referred to above, was the result. The court of Madrid had offered a convention or conditional restoration, and his lordship's letter purports to be a reply to such offer; it was dated 17 Oct. 1770, and the following is the most important passage contained in it.

"His Majesty cannot accept, under a convention, that satisfaction to which he has so just a title without entering into any engagements to procure it. The idea of his Majesty's becoming a contracting party upon this occasion is intirely foreign to the case; for, having received an injury and demanded the most moderate reparation of that injury his honour will permit him to accept, that reparation loses its value, if it is to be conditional, and to be obtained by any stipulation whatsoever on the part of his Majesty."

Yet in direct violation of this demand of an unconditional restoration

tion before both houses. It is the most complete and unanswerable condemnation of the

restoration and acknowledged sovereignty, the following declaration and acceptance were mutually acceded to at the Spanish court on Jan. 22, 1771.

Translation of the Declaration signed and delivered by Prince de Maserano, Ambassador Extraordinary from his Catholic Majesty, dated the 22d day of January, 1771.

His Britannic Majesty having complained of the violence which was committed on the 10th of June, 1770, at the island commonly called the Great Malouine, and by the English Falkland's Island, in obliging by force the commander and subjects of his Britannic Majesty to evacuate the port by them called Egmont; a step offensive to the honour of his crown;—the Prince de Maserano, ambassador extraordinary of his Catholic Majesty, has received orders to declare, and declares, that his Catholic Majesty, considering the desire with which he is animated for peace, and for the maintenance of good harmony with his Britannic Majesty, and reflecting that this event might interrupt it, has seen with displeasure this expedition tending to disturb it; and in the persuasion in which he is of the reciprocity of sentiments of his Britannic Majesty, and of its being far from his intention to authorize any thing that might disturb the good understanding between the two courts; his Catholic Majesty does disavow the said violent enterprize;—and in consequence the Prince de Maserano declares, that his Catholic Majesty engages to give immediate orders that things shall be restored in the Great Malouine, at the port called Egmont, precisely to the state in which they were before the 10th of June, 1770; for which purpose his Catholic

infamous convention with Spain that the mind of man can suggest. The whole culprit mi-

tholic Majesty will give orders to one of his officers to deliver up to the officer authorized by his Britannic Majesty, the port and fort called Egmont, with all the artillery, stores, and effects of his Britannic Majesty and his subjects, which were at that place the day above-named; agreeable to the inventory which has been made of them.

The Prince de Maserano declares, at the same time, in the name of the king his master, that the engagement of his said Catholic Majesty, to restore to his Britannic Majesty the possession of the fort and port called Egmont, cannot, nor ought, any wise to affect the question of the prior right of sovereignty of the Malouine Islands, otherwise called Falkland's Islands. In witness whereof, I, the underwritten ambassador extraordinary, have signed the present declaration with my usual signature, and caused it to be sealed with our arms. London, the twenty-second day of January, one thousand seven hundred and seventy-one.

(L. S.) (Signed) LE PRINCE DE MASERANO.

Translation of the Earl of Rochford's Acceptance, dated the 22d Day of January, 1771, of the Prince de Maserano's Declaration of the same Date.

His Catholic Majesty having authorized the Prince of Maserano, his ambassador extraordinary, to offer in his Majesty's name to the king of Great Britain a satisfaction for the injury done to his Britannic Majesty by dispossessing him of the port and fort of Port Egmont; and the said ambassador having this day signed a declaration, which he has just delivered to me, expressing therein that his Catholic Majesty being desirous to restore the good harmony and

nistry, together with the king, plead guilty by their own unanimous voice. No secretary of

and friendship which before subsisted between the two crowns, does disavow the expedition against Port Egmont, in which force has been used against his Britannic Majesty's possessions, commander, and subjects; and does also engage that all things shall be immediately restored to the precise situation in which they stood before the 10th of June, 1770. And that his Catholic Majesty shall give orders in consequence to one of his officers to deliver up to the officer authorized by his Britannic Majesty, the port and fort of Port Egmont, as also all his Britannic Majesty's artillery, stores, and effects, as well as those of his subjects, according to the inventory which has been made of them.—And the said ambassador having moreover engaged, in his Catholic Majesty's name, that what is contained in the said declaration, shall be carried into effect by his said Catholic Majesty; and that duplicates of his Catholic Majesty's orders to his officers shall be delivered into the hands of one of his Britannic Majesty's principal secretaries of state within six weeks. His said Britannic Majesty, in order to shew the same friendly dispositions on his part, has authorized me to declare, that he will look upon the said declaration of Prince de Maserano, together with the full performance of the said engagement, on the part of his Catholic Majesty, as a satisfaction for the injury done to the crown of Great Britain. In witness whereof, I, underwritten, one of his Britannic Majesty's principal secretaries of state, have signed these presents with my usual signature, and caused them to be sealed with our arms. London, the 22d day of January, 1771.

(L. S.) (Signed) ROCHFORD.

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state ever did or would write a letter of this sort upon so delicate a matter, without first lay-

These papers, together with the above letter of Lord Weymouth, were laid by Lord North before the House of Commons, Jan. 25, 1771; and on Feb. 4. the two following queries were moved by Lord Chatham for the opinion of the judges.

1.

Whether, in consideration of law, the imperial crown of this realm can hold any territories or possessions thereunto belonging, otherwise than in sovereignty?

2.

Whether the declaration, or instrument for restitution of the port or fort called Egmont, to be made by the Catholic King to his Majesty, *under a reservation of a disputed right of sovereignty expressed in the very declaration or instrument stipulating such restitution*, can be accepted or carried into execution without derogating from the maxim of law before-referred to, *touching the inherent and essential dignity of the crown of Great Britain?*

> "The above queries were not referred to the judges, because Lord Mansfield said, that the answer to them was self-evident,—that they answered themselves;—by which his lordship was understood to mean that both queries clearly answered themselves in the *negative*."

On the 13th of February an address of thanks for the communication was voted in both houses of parliament; that in the commons, after a very long debate, was carried by a considerable majority, the numbers being for the address 271, against 157, who voted for the amendment.

The

ing it before his Majesty's most confidential servants, and taking the king's express orders upon

The address of the lords was much fuller of approbation than that of the commons, and was, notwithstanding, carried through with a much greater proportional majority; it was, however, productive of the following nervous and argumentative protest, signed by not less than nineteen peers.

DISSENTIENT.

1. Because it is highly unsuitable to the wisdom and gravity of this house, and to the respect which we owe to his Majesty and ourselves, to carry up to the throne an address approving the acceptance of an imperfect instrument, which has neither been previously authorized by any special *full powers* produced by the Spanish minister, nor been as yet ratified by the King of Spain. If the ratification on the part of Spain should be refused, the address of this house will appear no better than an act of precipitate adulation to ministers; which will justly expose the peerage of the kingdom to the indignation of their country, and to the derision of all Europe.

2. Because it is a direct insult on the feelings and understanding of the people of Great Britain, to approve this declaration and acceptance, as a means of securing our own and the general tranquillity, whilst the greatest preparations for war are making, both by sea and land: and whilst the practice of pressing is continued, as in times of the most urgent necessity, to the extreme inconvenience of trade and commerce; and with the greatest hardships to one of the most meritorious and useful orders of his Majesty's subjects.

3. Because the refusing to put the questions to the judges upon points of law, very essentially affecting this great question, and the refusing to address his Majesty to give

it. It speaks then the unanimous sentiments of them all. His Majesty pronounces in com-

give orders for laying before this house the instructions relating to Falkland's Islands, given to the commanders of his Majesty's ships employed there, is depriving us of such lights as seemed highly proper for us on this occasion.

4. Because from the declaration and correspondence laid before us, we are of opinion that the ministers merit the censure of this house, rather than any degree of commendation, on account of several improper acts, and equally improper omissions, from the beginning to the close of this transaction. For it is asserted by the Spanish minister, and stands uncontradicted by ours, that several discussions had passed between the ministers of the two courts upon the subject of Falkland's Islands, which might give the British ministers reason to foresee the attack upon that settlement that was afterwards made by the forces of Spain. Captain Hunt also, arriving from thence so early as the third of June last, did advertise the ministers of repeated warnings and menaces made by Spanish governors and commanders of ships of war; yet so obstinately negligent and supine were his Majesty's ministers, and so far from the vigilance and activity required by the trust and duty of their offices, that they did not even so much as make a single representation to the court of Madrid; which if they had done, the injury itself might have been prevented, or at least so speedily repaired, as to render unnecessary the enormous expenses, to which this nation has been compelled, by waiting until the blow had been actually struck, and the news of so signal an insult to the crown of Great Britain had arrived in Europe. To this wilful, and therefore culpable, neglect of representation to the court of Spain, was added another neglect, a neglect of such timely preparation, for putting this nation into

mon with the rest his own condemnation in that of this unworthy transaction. The moderate

into such a state of defence, as the menacing appearances on the part of Spain, and the critical condition of Europe required. These preparations, had they been undertaken early, would have been executed with more effect, and less expence; would have been far less distressing to our trade, and to our seamen; would have authorized us in the beginning to have demanded, and would in all probability have induced Spain to consent to, an immediate, perfect, and equitable settlement of all the points in discussion, between the two crowns; but all preparation having been neglected, the national safety was left depending rather upon accidental alterations in the internal circumstances of our neighbours, than in the proper and natural strength of the kingdom; and this negligence was highly aggravated by the refusal of administration to consent to an address, proposed by a noble lord in this house last session, for a moderate and gradual augmentation of our naval forces.

5. Because the negociation, entered into much too late, was, from the commencement, conducted upon principles as disadvantageous to the wisdom of our public councils, as it was finally concluded in a manner disgraceful to the honour of the crown of Great Britain; for it appears, that the Court of Madrid did disavow the act of hostility, as proceeding from particular instructions, but justified it under her general instructions to her governors, under the oath by them taken, and under the established laws of America. This general order was never disavowed nor explained; nor was any disavowal or explanation thereof ever demanded by our ministers: and we apprehend that this justification of an act of violence under general orders, established laws, and oaths of office, to be far more dangerous and injurious to this kingdom

reparation to his Majesty's honour for the injury is not obtained unconditionally; that is, in the

kingdom than the particular enterprize which has been disavowed, as it evidently supposes, that the governors of the Spanish American provinces are not only authorized, but required, without any particular instructions, to raise great forces by sea and land, and to invade his Majesty's possessions in that part of the world, in the midst of profound peace.

6. Because this power, so unprecedented and alarming, under which the Spanish governor was justified by his court, rendered it the duty of our ministers to insist upon some censure or punishment upon that governor, in order to demonstrate the sincerity of the Court of Madrid, and of her desire to preserve peace, by putting at least some check upon those exorbitant powers asserted by the Court of Spain to be given to her governors. But although our ministers were authorized not only by the acknowledged principles of the law of nations, to call for such censure or punishment, but also by the express provision of the seventeenth article of the treaty of Utrecht, yet they have thought fit to observe a profound silence on this necessary article of public reparation. If it were thought that any circumstances appeared in the particular case of the governor, to make an abatement or pardon of the punishment advisable, that abatement or pardon ought to have been the effect of his Majesty's clemency, and not an impunity to him, arising from the ignorance of our ministers in the first principles of public law, or their negligence or pusillanimity in asserting them.

7. Because nothing has been had or demanded as a reparation in damage for the enormous expense and other inconveniences, arising from the confessed and unprovoked violence of the Spanish forces in the enterprize against Falkland's Islands, and the long subsequent delay of justice.

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only way which he himself and his servants thought indispensable. An humiliating stipula-

It was not necessary to this demand that it should be made in any improper or offensive language, but in that style of accommodation which has ever been used by able negociators.

8. Because an unparalleled and most audacious insult has been offered to the honour of the British flag, by the detention of a ship of war of his Majesty's, for twenty days after the surrender of Port Egmont, and by the indignity of forcibly taking away her rudder: this act could not be supported upon any idea of being necessary to the reduction of the fort, nor was any such necessity pretended. No reparation in honour has been demanded for this wanton insult, by which his Majesty's reign is rendered the unhappy æra in which the honour of the British flag has suffered the first stain with entire impunity.

9. Because the Spanish declaration, which our ministers have advised his Majesty to accept, does in general words imply his Majesty's disavowal of some acts on his part tending to disturb the good correspondence of the two courts, when it is notorious, that no act of violence whatsoever had been committed on the part of Great Britain. By this disavowal of some implied aggression in the very declaration, pretended to be made for reparation of the injured dignity of Great Britain, his Majesty is made to admit a supposition contrary to truth, and injurious to the justice and honour of his crown.

10. Because in the said declaration the restitution is confined to Port Egmont, when Spain herself originally offered to cede Falkland's Islands. It is known that she made her forcible attack on pretence of title to the whole, and the restitution ought, therefore, not to have been confined to a part

tion for referring the discussion of the prior right is a defeasance of the reparation. It

part only, nor can any reason be assigned why the restitution ought to have been made in narrower or more ambiguous words than the claims of Spain, on which her act of violence was grounded, and her offers of restitution originally made.

11. Because the declaration, by which his Majesty is to obtain possession of Port Egmont, contains a reservation or condition of the question of a claim of prior right of sovereignty in the Catholic King to the whole of Falkland's Islands, being the first time such a claim has ever authentically appeared in any public instrument jointly concluded on by the two courts. No explanation of the principles of this claim has been required, although there is just reason to believe that these principles will equally extend to restrain the liberty and confine the extent of British navigation. No counter claim has been made on the part of his Majesty, to the right of sovereignty, in any part of the said island ceded to him; any assertion whatsover, of his Majesty's right of sovereignty, has been studiously avoided, from the beginning to the accomplishment of this unhappy transaction; which, after the expense of millions, settles no contest, asserts no right, exacts no reparation, affords no security, but stands as a monument of reproach to the wisdom of the national councils, of dishonour to the essential dignity of his Majesty's crown, and of disgrace to the hitherto untainted honour of the British flag.

After having given these reasons, founded on the facts which appeared from the papers, we think it necessary here to disclaim an invidious and injurious imputation, substituted in the place of fair argument, that they who will not approve of this convention, are for precipitating their country into the

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wounds irreparably the honour of the king as a private man, and the glory of the kingdom; but

the calamities of war. We are as far from the design, and we trust much farther from the act of kindling the flame of war, than those who have advised his Majesty to accept of the declaration of the Spanish ambassador. We have never entertained the least thought of invalidating this public act; but if ministers may not be censured, or even punished for treaties which, though valid, are injurious to the national interest and honour, without a supposition of the breach of public faith in this house, that should censure or punish, or of a breach of the laws of humanity in those who propose such censure or punishment, the use of the peers, as a controul on ministers, and as the best as well as highest council of the crown, will be rendered of no avail. We have no doubt but a declaration more adequate to our just pretensions, and to the dignity of the crown, might have been obtained without the effusion of blood; not only from the favourable circumstances of the conjuncture, but because our just demands were no more than any sovereign power, who had injured another through inadvertence or mistake, ought, even from regard to its own honour, to have granted: and we are satisfied that the obtaining such terms would have been the only secure means of establishing a lasting and honourable peace.

RICHMOND,
BOLTON,
MANCHESTER,
TANKERVILLE,
CHATHAM,
WYCOMBE,
CRAVEN,
BOYLE,
DEVONSHIRE,
AUDLEY,
KING,
TORRINGTON,
MILTON,
ABERGAVENNY.
FITZWILLIAM,
PONSONBY,
SCARBOROUGH,
ARCHER.

DISSENTIENT.

when that stipulation carries along with it also a private insinuation or encouragement to the Catholic King to hope, and most probably, not to say certainly, an express assurance, that not only Port Egmont, now restored to us, but the whole island, shall in due time, as soon as they dare, be surrendered to the crown of Spain. No words can express the meanness or folly of such a proceeding. Our tame submission to France in the Corsican business has drawn this atrocious insult upon us. This insult, accompanied with the indignities contained, by the minister's own confession, in the convention, will renew to us, in the mouths of the proud and triumphant Spaniards, the ignominious title of *Gallinas del Mar*, and we shall deservedly become a bye-word of contempt amongst the nations. The only reparation which it can be pretended that Spain makes, is the temporary restitution of Port Egmont. Restoring to me my possessions violently seized is an act of jus-

DISSENTIENT.

Because, though the disavowal may be considered as humiliating to the Court of Spain, the declaration and acceptance, under the reservation of the question of prior right, do not, in my opinion, after the heavy expences incurred, either convey a satisfaction adequate to the insult on the honour of Great Britain, or afford any reasonable grounds to believe that peace, on the terms of honour, can be lasting.

EDIT. RADNOR.

tice not of reparation: but with what indelible shame shall we be covered, when it is seen that we pitifully traffic away what was insultingly wrested from us, and yield the whole to the aggressor under any pretence or colour whatever? The insult was committed after repeated notices of our right, in full peace: it was an insult not only to the flag of England hitherto spotless, but to the whole majesty of the kingdom, by direct hostilities committed as in time of actual war, so as to inforce a formal capitulation: a proceeding till now unheard of, submitted to with a meanness and treachery on the part of our rulers, which nothing can now palliate. We deceive ourselves if we think the peace can be maintained by pusillanimity and baseness. Remember "his Majesty cannot accept under a convention that satisfaction to which he has so just a title, without entering into any engagements to procure it*."

A MEMBER *of one House of Parliament in mourning for the honour of his King and Country.*

* See this subject further discussed in JUNIUS, Letter XLII. and notes appended to it. EDIT.

LETTER LXXXIX.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 16 *February*, 1771.

It is proper the public should be informed that, upon Lord Gower's election to be a Knight of the Garter, there were but four knights present, besides the sovereign, and the Duke of Gloucester was lugged in to be one of them. He intreated, he begged, he implored,—but all to no purpose. Poor Peg Trentham was forced to submit to an election, which, by the statutes of the order, is void.—Ashmole informs us, that "to make up a complete chapter of election, there should be assembled six knights companions at the least, besides the sovereign; the due observance of which hath been so strict formerly, that elections have been deferred, where chapters have been deficient in that number*."

* The same fact is related, and probably by the same correspondent, in the following article of the Public Advertiser, February 15, 1771.

A correspondent has sent us the following remarks on the London Gazette, published by authority.

This lying paper contains the following unprecedented article: "St. James's, Feb. 11. This day a chapter of the most noble Order of the Garter was held in the great Coun-

The present way of electing Peg Trentham, is, for two reasons, remarkable. It shews first,

cil Chamber, when Granville Levison Gower, Earl Gower, being first knighted, was afterwards elected and invested with the garter, ribbon and George, with the usual solemnity." It is most notorious to a great concourse of nobility and gentry then present, that there were only assisting the best of kings, the Dukes of Gloucester, Newcastle, and Northumberland, consequently it is impossible that any election can have been made, the statutes of the order requiring the presence of the sovereign with six knights. The best of kings, whose duty it is to preserve the laws inviolable, could to be sure on no consideration, not even the election of that most worthy peer the Earl Gower into this noble order, be prevailed upon, in the face of all England, to set the example of openly violating the statutes which have hitherto been so religiously respected and observed through so many ages. Had there been an election the Gazette would have proclaimed it in the usual form, the knights present would have been enumerated and named. It is impossible that the best of kings can be a party to the illegally smuggling in a knight upon that most noble order, in the same manner as a knight for the county of Middlesex has been smuggled into the House of Commons. If this article of news could be true, would not the kingdom have reason to lament that all order, decency and respect, for ancient rules and establishment, is now broken through by the person whose peculiar duty and interest it is to preserve them? Is the court itself so unpopular, or is the subject of his Majesty's favour so unworthy, that it was, after ten days waiting, impossible to procure the attendance of more than the king's own brother, the lord chamberlain, the auditor of the exchequer, and the Duke of Northumberland in flannels?

Risum teneatis amici!

in what profound contempt poor Peggy is universally held. And secondly, the pious resolution of our gracious sovereign to introduce a new system of arithmetic. In the decision of the Middlesex election it was resolved that 296 were more than 1143, and now we are told that four are equal to six.—This puts me in mind of Lord March's election to the Coterie.—All the balls were black;—but the returning officer, George Selwyn, thought proper to swear he was duly elected, and he took his seat accordingly.

A. B.

LETTER XC.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *22 February*, 1771.

THE advocates of the ministry are, in point of ignorance, upon a level with the people, whose conduct they defend*. The ques-

* The following is a copy of the paragraph which occasioned the foregoing essay:

"People who would cavil, and are clamorous about that part of the Spanish declaration, where the King of Spain makes a reservation of a prior claim of right to Falkland Island, would do well to consider, that such reservation is only mere matter of form, and is never likely to produce the smallest misunderstanding between the two crowns, especially

tions they ask are suicide to their own cause. Gibraltar and Minorca were yielded to England by the treaty of Utrecht, to which treaty Spain acceded; and, admitting that they have never given up in form their claim to Jamaica, it is also true that, since the treaty of Utrecht, they have never asserted such a claim, much less have *we* allowed it to be inserted in any treaty between the two crowns. But, Sir, the real question is, not what declarations or pretensions Spain may have thought proper to advance, but, what declarations or pretensions on their part, *have we admitted and accepted?* To support a fair comparison between the terms, on which we hold the above places, and those on which Port Egmont is restored, it should be proved that Spain, in some treaty between us and it, has asserted its claim of prior right to Jamaica, Gibraltar and Minorca, and that we have, with equal formality, accepted a treaty containing such an express reservation, and declared ourselves *satisfied with it.* The ministry would then have an example in point*.

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cially when they recollect, or may inform themselves, that Spain never, to this hour, has renounced her formal claim of right, either to Minorca or Gibraltar, in the treaties subsequent to our possession of those places." EDIT.

* The printer thought proper at the time, with the consent of the author, see Private Letter, No. XXXIII. to break off

LETTER XCI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 6 *March*, 1771.

PRAY tell that ingenious gentleman, Mr. Laughlin Macleane*, that when the King of Spain writes to the King of Great Britain he omits four-fifths of his titles, and when our king writes to him, his address is always *Carolo, dei gratia, Hispaniarum, Utriusque Siciliæ, et Indiarum Regi Catholico.* It was reserved for his present Majesty to say, in a public instru-

off at this point, and to suppress the remainder of the essay. The autograph of the entire letter is still in the hands of the proprietor of this edition: but it would be a breach of confidence to continue it further. Independently of which he altogether approves of the suppression. EDIT.

* Laughlin Macleane had been under secretary of state during Lord Shelburne's possession of the office for the southern department. In his defence of the ministry here referred to, he still discovers a hankering after office, and at least a disposition to forgive them for his dismission. Mr. Campbell, however, in his life of Hugh Boyd, p. 125, tells us that at this very period he possessed "a mortal hatred for his Grace (of Grafton), and indulged his resentment by painting him in the blackest colours!!!" See note on this subject in the preliminary essay. In January, in the following year, he received from Lord North the collectorship of Philadelphia, and subsequently an appointment to India, in his voyage to which he was lost. EDIT.

ment, "Falkland Island is one of my possessions, and yet I allow the king of Spain to reserve a claim of prior right, and I declare myself *satisfied* with that reservation." In spite of Mr. Laughlin's disinterested, unbroken, melodious eloquence, it is a melancholy truth that the crown of England was never so insulted, never so shamefully degraded, as by this declaration, with which the best of sovereigns assures his people he is perfectly, entirely, completely satisfied.

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LETTER XCII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *25 March*, 1771.

However the court might have concealed its designs; however it might have deluded those who were disposed to be deceived, the imposition can exist no longer. The triplet union of crown, lords, and commons against England displays itself with a violence and a candour, which statesmen in other conspiracies seldom have adopted. It is no more a question of royal antipathy or feminine unrelenting resentment; it is not a single inconsequent act of arbitrary power; it is not the offensive individual, but the free constitution of this country,

whose destruction engages the influence of the crown and the authority of parliament.

The House of Commons assume a power of imprisonment during pleasure for actions which the laws have not made criminal. They create a crime as well as a punishment. They call upon the king to support their illegality by a proclamation still more illegal; and the liberty of the press is the object of this criminal alliance. They expunge a recognizance; they stagnate the course of justice, and thereby assume an absolute power over the law and property of Great Britain *.

* The whole of this requires explanation. The printers of newspapers having long intended it, now resolutely determined to report the debates of both houses. Col. Onslow made a motion against them as guilty of a violation of the privileges of parliament: and the printers were summoned to attend: Wheble and Miller however refused to obey the order; and the minister thought proper to issue a proclamation in his Majesty's name, and insert it in the Gazette, offering a reward of fifty pounds for apprehending John Wheble, printer of the Middlesex Journal, and John Miller, printer of the London Evening Post, for daring to publish certain speeches delivered in parliament. In consequence of this proclamation they were both apprehended; Wheble by a brother-printer of the name of Carpenter, who owed him a grudge, and Miller by William Whittam, a messenger of the House of Commons. The former was carried before Mr. Wilkes, at that time just liberated from the King's Bench, and, as alderman for Farringdon Without, sitting-magistrate at

The House of Lords have not been backward in *their* contribution to the scheme of sla-

at Guildhall: who denying the legal authority of a mere proclamation, discharged Wheble, and took a recognizance of him to prosecute Carpenter for an assault and unlawful imprisonment. Miller upon his arrest sent for a constable, to whom he gave charge of the messenger who arrested him, and immediately carried him to the Mansion-house, where the Lord Mayor, Mr. Alderman Wilkes, and Mr. Alderman Oliver jointly heard the cause, discharged Miller, and signed a warrant of commitment of the messenger to the Compter for the assault and false imprisonment; from which however he was released upon finding bail. Wilkes at the same time that these transactions were officially entered by the Lord Mayor's clerk into the Mansion-house rota book, addressed a letter to Lord Halifax, one of the secretaries of state, informing him of the steps he had taken.

All was confusion and uproar. The House of Commons supported the legality of the *proclamation:* issued an *order* to prohibit every kind of prosecution or suit from being commenced or carried on for or on account of the assault and imprisonment of the printers; ordered the clerk to attend who had entered the proceedings in the Mansion-house minute book; erased the entire record; and summoned the different aldermen who had officiated to appear at the bar of the house to answer for their conduct.

The city first of all, and afterwards the nation at large, was extremely indignant at such illegal violence. The lord mayor's clerk was severely reprimanded at a general court of aldermen for suffering the city minute book to be mutilated; the Bill of Rights society complained vehemently against the outrages committed;—Wilkes refused to obey the summons for his attendance, and the lord mayor and his other

very; for they have imprisoned, and they have fined. The crime like the punishment was in

other colleagues upon attending and justifying their conduct were committed to the Tower, for pretended contumacy. It was on this occasion that the lord mayor (Crosby) made the following spirited reply:—

"Mr. Speaker,—an honourable gentleman has talked of the lenity to be shewn me on account of my health, and my being only committed to the custody of the serjeant at arms. I thank God that my health is better than it has been for some time past. I know that I was prejudged on Monday, and that the string of resolutions and warrants is now in the gentleman's pocket. I ask no favour of this house. I crave no mercy from the treasury-bench. I am ready to go to my noble friend at the Tower, if the house shall order me. My conscience is clear, and tells me that I have kept my oath, and done my duty to the city, of which I have the honour to be chief magistrate, and to my country. I will never betray the privileges of the citizens, nor the rights of the people. I have no apology to make for having acted uprightly, and I fear not any resentment in consequence of such conduct. I will through life continue to obey the dictates of honour and conscience, to give my utmost support to every part of the constitution of this kingdom, and the event I shall always leave to Heaven, at all times ready to meet my fate."

The lord mayor was accompanied to the Tower by an immense concourse of the livery, as well as of persons not connected with the police of the city, many of them of the utmost respectability; he was visited by the Dukes of Manchester and Portland, Earls Fitzwilliam and Tankerville, Lord King, Admiral Keppel, Sir Charles Saunders, Mr. Dowdeswell,

their own bosom. They were *ex post facto* legislators. They were parties; they were judges;

Dowdeswell, Mr. Burke, and many other commoners; as also by the two sheriffs, in order to express their entire disapprobation of the proceedings that had taken place against them; and the thanks of the city were voted unanimously, at a meeting of common council holden March 28, to such members of the House of Commons as had supported the conduct of the lord mayor and his colleagues, and maintained the rights and privileges of the city. The common council voted that all the expenses of the lord mayor's and Mr. Oliver's table, &c. &c. should be defrayed by the city.

The magistrates in order to obtain their discharge were carried by *habeas corpus* first before Lord Chief Justice De Grey, and afterwards before Lord Mansfield; but both judges refusing to discharge them, they were remanded to the Tower. In the mean time, in direct opposition to the order of the House of Commons, the Grand Jury, at the ensuing quarter-sessions at Guildhall, found bills of indictment against Carpenter, and Whittam, the messenger of the house, for the assault and imprisonment of Miller and Wheble. The lord mayor and his colleagues remained in the Tower till the 8th of May, on which day his Majesty by proroguing the parliament, terminated its power of confining them any longer.

It is not necessary at this time to enter into the question of the legality or illegality of the power claimed in this instance by the House of Commons, under the specious name of parliamentary privilege. They virtually admitted themselves to have erred, by their subsequent conduct towards Mr. Wilkes; who though by far the most culpable of the whole

and, instead of a court of final judicature, acted as a court of criminal jurisdiction in the first instance. The three estates, instead of being a controul upon each other, are let loose upon the constitution. The absolute power of the crown, by the assistance of the handmaid corruption, puts on the disguise of privilege. In the arrangement of hostility, the associated senate takes the lead, and illegal proclamation brings up the rear of oppression. The cabal advances upon us as an army once did upon a town—it displayed before it a multitude of nuns, and overawed the resistance of the besieged by the venerable appearance. So the cabinet puts forth the countenance of parliament, and marches against the constitution under the shelter of the hallowed frailty.

What has an Englishman now to hope for? He must turn from king, lords, and commons, and look up to God and himself if he means to be free. He sees the representation of the

whole (admitting culpability of any kind) was suffered to remain unmolested, except by serving him with three successive summonses to appear at the bar of the house, every one of which he contemptuously refused to obey, unless the house would suffer him to take his place as member for Middlesex. The result of the contest has terminated favourably for the public, who have ever since been put into possession of the debates of both houses, through the medium of newspaper reporters. EDIT.

kingdom taken from the people—the law dispensed with—the obligation of a contract erased—the liberty of the subject invaded—the freedom of the press violated—by the House of Commons. By the House of Lords he sees liberty, property, and the freedom of the press assaulted likewise, and the decision * of justice in its last resort a question of influence, not of law. He beholds three supreme powers instead of one, and the constitution a separate plunder to each: or rather he beholds one estate possessed of the power by the profligacy of the rest.—If the cabinet should prevail, we shall not only be enslaved, but disgraced. The man and means that enslave us would be an additional dishonour.

AN ENGLISHMAN, *and Enemy to the Cabinet therefore.*

* In the case of Lord Pomfret and Smith.

LETTER XCIII *.

For the Public Advertiser.

29 March, 1771.

TO THE RIGHT HONOURABLE THE LORD MAYOR, MR. ALDERMAN OLIVER, AND MR. ALDERMAN WILKES.

MY LORD AND GENTLEMEN,

As your conduct in regard to the business of the printers is become the universal subject of conversation, I will take the liberty of communicating my sentiments to you in this public manner. The business first opened with a printer's being taken up by virtue of the king's proclamation, and carried before Mr. Alderman Wilkes (who was sitting as a justice of the peace for the city of London) in order to his being committed by virtue of that proclamation *only*. Mr. Wilkes discharged the printer, and upon his complaint verified upon

* There is some doubt as to the genuineness of this as well as of the ensuing letter; but as they are illustrative of one of JUNIUS's most important letters, No. XLIV; as they are excellently composed, and the subject has been in some measure recently agitated, the editor could not consent to suppress them. The quotation from Hawkins, inserted in the second letter, will be found adopted by JUNIUS as one of his notes to the letter just referred to.

oath, bound over the apprehender to appear at the quarter-sessions, and the printer to prosecute for an assault. In considering the legality of this proceeding I will totally lay out of the question the privileges and franchises of the city of London, as I think this part of the case does not require any assistance from them, though they may be very material in the subsequent proceedings as to the messenger of the House of Commons. The first consideration then will be, what was the force and effect of the proclamation? In Judge Dalison's Reports, which is a book of authority, p. 20, 2 and 3 Phil. and Mary, it is said, "Note, It was agreed for law, that the king may make a proclamation to his subjects *quo ad terrorem populi*, to put them in fear of his displeasure, but not upon other pain certain as to forfeit their lands or goods, or to make fine, or to suffer imprisonment or other pain; for no proclamation shall make a law which was not before, but may confirm and ratify an ancient law, but not change it, or make a new one; yet diverse precedents were shewn out of the exchequer to the contrary, but the justices would not have any regard to them, *quod nota.*" And in the 12th Part of Sir Edward Coke's Reports, which is a book of the highest authority, p. 74, in the 8 Ja. 1st, (when prerogative ran high)

you will find a case called the case of proclamations, which, amongst other things, contains these resolutions: "That the king by his proclamation or otherways cannot change any part of the common law, or statute law, or the customs of the realm." That the king cannot create any offence by his prohibition or proclamation, which was not an offence before; and that "that which cannot be punished without proclamation cannot be punished with it." That the king may by his proclamation admonish his subjects to keep the laws, but cannot make a thing unlawful which the law permits. And this, as the learned reporter observes, was well proved by the ancient and continual forms of indictments, for all indictments conclude *contra legem et consuetudinem Angliæ*, or *contra leges et statuta, &c.* "But never was seen an indictment to conclude *contra regiam proclamationem.*"

The learned reporter puts several instances of illegal proclamations, and amongst the rest this: An act was made by which foreigners were licensed to merchandize within London. H. 4. by proclamation prohibited the execution of it, and that it should be in suspense *usque ad proximum parliamentum*, which, says the learned reporter, was against law. Vide Dors. Claus. 8 Hen. 4. Proclamation in London.

Here give me leave to make one observation, that any proclamation which infringes the ancient customs, privileges and franchises of the city of London, infringes the statute laws of this land; for the customs, privileges and franchises of the city of London are confirmed and established by various acts of parliament. The case still goes on, and says, that the law of England is divided into three parts, common law, statute law, and custom; "but the king's proclamation is none of them." And the learned reporter concludes in saying: after this resolution no proclamation imposing fine and imprisonment was afterwards made; and I have no doubt but the learned reporter thought that after this solemn decision no such proclamations would ever be issued in any future times: but, alas! he did not see the jurisprudence of the reign of George the Third.

I think I may call this case a solemn determination, because it was settled upon great deliberation by the two chief justices, the chief baron and Baron Altham, upon conference betwixt the lords of the privy council and them. When the printer was brought before Mr. Wilkes, Mr. Wilkes acted as a magistrate, and in a judicial capacity; and had he imprisoned the printer, or any other subject of this kingdom upon less evidence than the law required,

he would have been highly criminal. And in a case where the liberty of the subject was concerned, it required the best and the highest evidence to justify the deprivation of that liberty. The law and rules of evidence "are part of the common law of the land," and the king cannot "by his proclamation alter or suspend any of those laws or rules; for that would be to alter the law of the land, and in direct opposition to those respectable authorities I have cited." It is a law and a rule of evidence that no judge or justice can judicially take notice of a private act of parliament, much less can they judicially take notice of a private order of the House of Commons relative to two individuals only. Nay if you add to it the sanction of the royal proclamation, and consider it as the act of the king and commons, does it mend the matter? Does it give it greater authority in point of legal evidence than an act of parliament? I should be glad to be informed if the constitution has given such an arbitrary power of imprisonment to the House of Commons as they claim, why it has not given them proper officers to enforce it without resorting to the king? Why has not the serjeant at arms a power to raise the posse comitatus? Why are not people punishable for not giving him assistance? And yet I dare say there is not

a law-book that has attributed this power to him, nor did we ever hear of a person punished for refusing him assistance, which in my apprehension is a strong argument against the power claimed by the House of Commons against the printers. I should be glad too to be informed what law, usage, or custom, has made the king the minister to authenticate the orders of the House of Commons, when it first began, and where it is to be found. By what writ or authority does the order come before the king to be authenticated, and where is it to be found? I never yet saw any statute, case, or even dictum to authorise this. And if the law has not intrusted the king with the power of authenticating the orders of the House of Commons by his royal proclamation, every judge and justice in this kingdom will do right in paying no regard to them under such a sanction. I have known trials where it has been necessary to give in evidence the proceedings and determinations of the House of Commons, which have always been done by proving them upon oath to be true copies of the journals by the witness who examined them. And though Mr. Wilkes might be convinced in his mind that there was such an order as stated in the proclamation, he could not in his judicial capacity take notice of it, as it was not authenticated according to law.

This doctrine has been illustrated in a modern instance. Did not the present chief justice of the King's Bench and his brethren refuse to take judicial notice of Mr. Wilkes when he surrendered himself in order to the reversal of his outlawry, because he did not come properly authenticated before them, although I fancy they had very little doubt in their minds as to the identity of his person? so upon the same principles Mr. Wilkes was well warranted in rejecting the proclamation; and that being out of the way, I think it will then be so clear, that Mr. Wilkes would have done right in committing the assailant upon the printer, if he had not given bail, as not to admit of an argument.

I have two observations to make upon the late attempt of enforcing the order of the House of Commons by the royal proclamation. First, that the calling in the aid of the king upon that occasion was weakening the authority and dignity of the house, and tends to make the execution of the orders of that house dependent upon the pleasure of the king; and in the next place such an interposition on the part of the king carries this appearance with it to the public, that it is not the independence or the just liberties and privileges of the commons of England that are thus anxiously sought to be preserved, but the gratification of the spleen

and resentment (to say no worse of it) of the administration. I shall conclude this letter by saying, and thinking till I am better informed, that the late proclamation was an unwarrantable exertion of power, tending to mislead all judges and justices throughout England, and to put them upon imprisoning an English subject contrary to law, and the rules of evidence, which make part of the law of this kingdom; and therefore I for one applaud the conduct of Mr. Wilkes in this instance. In another letter I shall deliver my sentiments as to the proceedings of your lordship, Mr. Alderman Oliver, and Mr. Alderman Wilkes, when the messenger of the House of Commons was brought before you. I have forborn to take this business up on the same grounds that Mr. Morris has done, as it would only be a repetition of what he has very judiciously before transmitted to the public*. It is sufficient for me to say that

* Robert Morris, Esq. was a member of, and secretary to, the Bill of Rights Society. At their meeting in order to discuss the question of the arrest of the printers, he thus addressed the chairman; and it is to this speech the writer of the above letter refers.

" Mr. Chairman,

" The proclamation issued for apprehending the printers is on all hands, I think, allowed to be illegal. I do not believe that there is in the whole kingdom a lawyer's clerk, who does not know it to be equally repugnant to the spirit and

I think he has sufficiently demonstrated the illegality of the order of the House of Commons; I only meant to give additional strength to his observations; and if any man will coolly consider the whole case, argument will continually crowd upon his mind to evince the illegality and injustice of the order and royal proclamation.

I am,
My lord and gentlemen,
Your most humble servant,
G. W.

and letter of the law and the constitution. The law, though not so well known, is as clear against commitments by the House of Commons. They have nothing to support their pretensions but their own vote, which certainly is not binding on any but themselves; an act of the three branches of the legislature being the only authority that is, besides the common law, acknowledged by England as valid. Matters being thus circumstanced, I am sorry to find that such magistrates of London, as belong to this society, do not afford protection to the printers, and rescue them from lawless violence. My concern for this neglect, this fear, or this tergiversation, is the greater, that, if the officers of the House of Commons, or any other person but a minister of this city properly authorised, takes these obnoxious men into custody, the rights of the city are violated; it being legally impossible for king, lords, and commons, to seize any citizen of London without the consent of its own magistrates. Were they even to make an act for that purpose, it could not have any force; because the act made in favour of the city, in the reign of William and Mary, ought to be considered as a constitution, and as irreversible as Magna Charta; for indeed it is the Magna Charta of the city." EDIT.

LETTER XCIV.

For the Public Advertiser.

8 *April*, 1771.

TO THE RIGHT HON. THE LORD MAYOR OF LONDON, MR. ALDERMAN OLIVER, AND MR. ALDERMAN WILKES.

MY LORD AND GENTLEMEN,

In my first letter I submitted my reasons why Mr. Wilkes could not in his judicial capacity take notice of the order of the House of Commons, merely under the sanction of the royal proclamation. If I was right in that, it was totally immaterial whether the order of the House of Commons as to the printers was legal or illegal; for in either case Mr. Wilkes's conduct was agreeable to law. And in either case, the expunging of the proceedings taken before him, be it by what order it may, was a flagrant violation of the law, and a very dangerous obstruction to the execution of criminal justice. I will next consider the subsequent proceedings as to the messenger of the House of Commons, who was brought before you, as magistrates of the city of London, and charged upon oath with having committed a breach of the peace, in assaulting and imprisoning one of your citizens. The messenger justified the fact under a war-

rant signed by the speaker of the House of Commons, which I shall state more particularly hereafter, but at present it is not necessary.

This justification necessarily brought the validity of the speaker's warrant *collaterally* in question before you. Some people who have in general applauded your conduct in this business, have said that you went too far in signing a warrant of commitment of the messenger, and in obliging him to give bail. As you deemed the speaker's warrant illegal, you could not do otherwise; it was the necessary consequence and judgment upon the complaint before you. You would have been guilty of a breach of duty, as magistrates, if you had adjudged the messenger guilty of a breach of peace, and not have committed him or bound him over to answer the offence in a due course of law. One of the greatest privileges assumed by either house of parliament, is that of having their privileges (as they call them), examined and inquired into in their own houses only. And if this can be established as the law of England, any subject may be deprived of his life, liberty and property, by an arbitrary vote of either house, under the name of privilege of parliament. It will be said that this is a foreign presumption, and that we cannot suppose that those respectable characters in the houses of parliament would in-

vade the liberties of the people. I must own I think from some late exertions, there is no room left for presumptions; but be that as it may, I think the liberties of England ought to stand upon a more solid basis than presumptions, or the arbitrary voice of one branch of the legislature only.

The cases to prove that the assumed privileges of either house of parliament are not examinable elsewhere than in their own houses, are Lord Shaftsbury's case, 29 Car. 2 in B. R. The Queen v. Paty & alias, 3 Ann. in B. R. and the Hon. Alexander Murray's case, 24 Geo. 2. B. R. In all cases adjudged upon constitutional points, regard should be had to the temper of the times when they happened, and the characters, connections, and dependencies of the judges. If these circumstances be attended to in Lord Shaftsbury's case, I am very sure it will be found to be a precedent of no weight or authority. Lord Shaftsbury was a man exceedingly obnoxious to King Charles the Second, having in the House of Lords violently opposed that arbitrary prince, and his attempts to introduce popery into this kingdom. The king's designs were no secret; and the independent members in the House of Commons had meditated means to prevent the execution of them. The king, to frustrate this, prorogued

the parliament for fifteen months within a few days, being the longest prorogation which had been then known. The king had also found means, by pensioning many of the members of the lower house, to gain a considerable influence in it; and the dissolution of parliament was then (as it is now) a thing earnestly to be sought for. Upon the meeting of the parliament, after this long prorogation, a question was propounded in the House of Lords by the country party, whether it was not actually dissolved. Lord Shaftsbury, and others of that party, argued and maintained upon an old statute of King Edward the Third, then in force, which directed that the king should call a parliament once a year, or oftener if need should be, that the parliament was actually dissolved; but the court party strenuously opposed this, knowing that the eyes of the people were opened, and that a new parliament would not be favourable to the king's designs.

This question had made a great noise in the kingdom, and by way of silencing the people, the king's party in the House of Lords voted Lord Shaftsbury, Lord Salisbury, and Lord Wharton, who had maintained that the parliament was dissolved, guilty of a contempt of that house, and sent them to the Tower; that they were sent to the Tower to gratify the king's

vengeance is apparent from the words of the warrant of commitment, for it directs them to be kept in safe custody *during his Majesty's pleasure*, and the pleasure of the house for their high contempt committed against that house. Lord Salisbury and Lord Wharton submitted to the house, and were discharged; Lord Shaftsbury at first refused it, and sued out his Habeas Corpus, and was brought before the King's Bench with the warrant of his commitment.

The warrant was glaringly illegal and unconstitutional, and seems to be admitted by all the judges in that case to be so, particularly Wylde Justice said, the return no doubt was illegal. This was a critical case; in fact, it was the king's cause, and the judges to determine it at that time held their offices during the pleasure of the crown, so that they were reduced to an awkward dilemma; however, they found means to extricate themselves from it by determining, that though the commitment was illegal, they could not examine into it, and so Lord Shaftsbury was remanded; and the three puisne judges on the case of the Queen v. Paty & alias, as also the judges in Mr. Murray's case, seem implicitly to have followed the determination in Lord Shaftsbury's case, and therefore if that determination be overthrown, the other two must sink of course. In the case

of the Queen v. Paty & alias, 3 Ann. the defendants having been committed to Newgate by a warrant of the speaker of the House of Commons, signed Robert Harley, speaker, (a fatal name to liberty), were brought by Habeas Corpus into the Queen's Bench, and prayed to be discharged upon the illegality of the commitment. The three puisne judges refused to interfere upon the authority of Lord Shaftsbury's case, and the prisoners were remanded, contrary to the opinion of Lord Chief Justice Holt, one of the ablest judges that ever presided in that court. He was of opinion, that what the house had called a breach of privilege was not a breach of privilege, nor could their judgment make it so, nor conclude that court from determining contrary; and he says, "When the House of Commons exceed their legal bounds and authority, their acts are wrongful, and cannot be justified more than the acts of private men: that there was no question but their authority is from the law, and as it is circumscribed, so it may be exceeded. To say they are judges of their own privilege and their own authority, and nobody else, is to make their privileges to be as they would have them. If there be a wrongful imprisonment by the House of Commons, what court shall deliver the party? Shall we say there is no redress; and that we

are not able to execute those laws upon which the liberty of the queen's people subsists? To conclude, all courts are so far judges of their own privileges, and entrusted with a power to vindicate themselves, that they may punish for contempts; but to make them, or any court, final judges of them, exclusive of every body else, is to introduce a state of confusion, by making every man judge in his own cause, and subverting the measures of all jurisdictions." What says another learned lawyer, Mr. Serjeant Hawkins, in his pleas of the crown, p. 110?— In commenting upon Lord Shaftsbury's case, he says, " But if it be demanded in case a subject should be committed by either of those houses for a matter manifestly out of their jurisdiction, what remedy can he have? I answer, that it cannot well be imagined that the law, which favours nothing more than the liberty of the subject, should give us a remedy against commitments by the king himself appearing to be illegal, and yet give us no manner of redress against a commitment by our fellow subjects equally appearing to be unwarranted." To this I may add the dictum of the present speaker of the House of Commons when counsel*, who is reported to have said, that had he

* Sir Fletcher Norton. EDIT.

the honour to preside in any court of justice, he should no more regard the resolutions of that house than the resolutions of a set of drunken porters. Some apology may be made for the judges in the case of the Queen v. Paty & alias. They might connive at a stretch of power in the House of Commons for fear of weakening the dignity and independence of the house: and if ever that can be justifiable, it was so then, because the house was truly honourable and independent; for no placeman or pensioner was then capable of sitting in that house. Very different is it at this time: the house swarms with placemen and pensioners, and the people want a barrier to guard them from the invasions of their own representatives.

But if such a dangerous position is to be established as that, though the order of the house be apparently illegal, no court or magistrate can give redress, a door will be opened through the House of Commons to elude all those excellent laws which our ancestors have procured for the preservation of our liberties, and to overturn the fundamental principles of the constitution. But let us hope that by such weak authorities as the three cases cited, the liberties of England are not to be determined. In another letter I will trouble you with my sentiments upon the privileges of the

House of Commons, and the warrant of commitment *.

I am,

My lord and gentlemen,

Your most humble servant,

G. W.

* This promised letter did not appear, though the same subject is pursued in the following letter, as well as under the more dignified signature of JUNIUS, and occurs in the letters with this subscription No. XLIV. date 22 April, 1771.

To the arguments and opinions both there and here cited upon the authority of royal proclamations, and powers or privileges of parliament, the editor will, on this occasion, take the liberty of adding the following decision on the same point by that great and constitutional judge, Lord Chief Justice Holt.

" In the reign of Queen Anne, in 1704, several freemen of the borough of Aylesbury had been refused the liberty of voting at an election for a member of parliament, though they proved their qualifications as such: the law in this case imposes a fine on the returning officer of £100 for every such offence. On this principle they applied to Lord Chief Justice Holt, who desired the officer to be arrested. The House of Commons, alarmed at this step, made an order of their house to make it penal for either judge, counsel, or attorney, to assist at the trial; however, the lord chief justice, and several lawyers, were hardy enough to oppose this order, and brought it on in the King's Bench. The house, highly irritated at this contempt of their orders, sent a serjeant at arms for the judge to appear before them; but that resolute defender of the laws bade him, with a voice of authority, begone; on which they sent a second message by their speaker, attended by as many members as espoused the

LETTER XCV.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 9 *April*, 1771.

THE arguments used in defence of the late proceedings of the House of Commons would have a considerable weight with me, if I could persuade myself that the present House of Commons were really in that independent state in which the constitution meant to place them. If I could be satisfied that their resolutions were not previously determined in the king's cabinet, that no personal resentment was to be gratified, nor any ministerial purpose to be answered, under pretence of asserting their privileges, I own I should be very unwilling to raise or encourage any question between the strict right of the subject, and that discretionary power which our representatives have assumed by degrees, and which, until

the measure. After the speaker had delivered his message, his lordship replied to him in these remarkable words: 'Go back to your chair, Mr. Speaker, within these five minutes, or you may depend on't I'll send you to Newgate: you speak of your authority, but I tell you I sit here as an interpreter of the laws, and a distributor of justice, and, were the whole House of Commons in your belly, I will not stir one foot.' The speaker was *prudent* enough to retire, and the house were equally prudent to let the affair drop." EDIT.

of late years, they have very seldom abused. While the House of Commons form a real representation of the people, while they preserve their place in the constitution, distinct from the lords, and independent of the crown, I think to contend with them about the limits of their privileges would be contending with ourselves *. But the question will be materially altered, if it should appear that instead of preserving the due balance of the constitution, they have thrown their whole weight into the same scale with the crown, and that their privileges, instead of forming a barrier against the encroachments of the other branches of the legislature, are made subservient to the views of the sovereign, and employed, under the direction of the minister, in the persecution of individuals, and the oppression of the people. In this case it would be the duty of every ho-

* The necessity of securing the House of Commons against the king's power, so that no interruption might be given either to the attendance of the members in parliament, or to the freedom of debate, was the foundation of parliamentary privilege; and we may observe in all the addresses of new appointed speakers to the sovereign, the utmost privilege they demand is liberty of speech and freedom from arrests. The very word privilege means no more than immunity, or a safeguard to the party who possesses it, and can never be construed into an active power of invading the rights of others.

nest man to stand strictly to his right;—to question every act of such an House of Commons with jealousy and suspicion, and wherever their pretended privileges trenched upon the known laws of the land, in the minutest instance, to resist them with a determined and scrupulous exactness. To ascertain the fact, we need only consider in what manner parliaments have been managed since his Majesty's accession.

He found this country in that state of perfect union and happiness which good government naturally produces, and which a bad one has destroyed. He promised to abolish all distinctions of party, and kept his word by declaring Lord Bute his favourite and minister, by proscribing the whole Whig interest of England, and by filling every place of trust and profit under his government with professed Tories, notorious jacobites, and Scotchmen of all denominations. He abolished no distinctions but those which are essential to the safety of the constitution. King, lords, and commons, which should for ever stand clear of each other, were soon melted down into one common mass of power, while equal care was taken to draw a line of separation between the legislature and the people, and more particularly between the representative and the constituent body of the

commons. The lower house distinguished themselves by an eager compliance with every measure that could be supposed to gratify the king personally, or to humour the vindictive passions of his royal mother. [When Mr. Wilkes was to be punished they made no scruple about the privileges of parliament; and although it was as well known as any matter of public record and uninterrupted custom could be, *that the members of either house are privileged, except in case of treason, felony, or breach of the peace*, they declared without hesitation *that privilege of parliament did not extend to the case of a seditious libel;* and undoubtedly they would have done the same if Mr. Wilkes had been prosecuted for any other misdemeanor whatsoever.] It was upon that occasion that Sir Fletcher Norton, the patron of privilege, declared in the house, that, if he were a judge in Westminster-hall, he should regard a vote of the House of Commons no more than a resolution of a company of drunken porters.—To shew us his politeness, he preserves his style;—to shew us his morality, he changes his opinion.

The House of Lords have not been less pliant in surrendering the rights of the peerage, whenever it has suited the purposes of the cabinet. They joined heartily in the vote

abovementioned, and when they were called upon to support that enormous violation of all law, truth, and reason, which was perpetrated by the House of Commons in the case of the Middlesex election, they gave up that reciprocal check and controul by which the balance between the three estates can alone be preserved, and were content to bury their own privileges under the ruins of the constitution.—The influence of the crown over the resolutions of both houses continues to operate with equal force, though now it assumes a different appearance. The liberty of the press, besides giving a daily personal offence to the Princess of Wales, must always be formidable, therefore always odious to such a government as the present. Prosecutions had been attempted without success. The privilege of parliament which had been so shamefully surrendered to answer one ministerial purpose, must now be as violently asserted to answer another. [The ministry are of a sudden grown wonderfully careful of privileges which their predecessors were as ready to invade. The known laws of the land, the rights of the subject, the sanctity of charters, and the reverence due to our magistrates, must all give way, without question or resistance, to a privilege of which no man knows either the origin or the extent.

The House of Commons judge of their own privileges without appeal:—they may take offence at the most innocent action, and imprison the person, who offends them, during their arbitrary will and pleasure. The party has no remedy;—he cannot appeal from their jurisdiction; and if he questions the privilege, which he is supposed to have violated, it becomes an aggravation of his offence. Surely, Sir, this doctrine is not to be found in Magna Charta. If it be admitted without limitation, I affirm that there is neither law nor liberty in this kingdom. We are the slaves of the House of Commons, and, through them, we are the slaves of the king and his ministers.]

The mode in which the house have proceeded against the city magistrates can neither be reconciled to natural justice, nor even to the common forms of decency.—They begin with shutting their doors against all *strangers*, the usual name by which they describe their constituents. Some of their debates appear in the public papers. The offence, if any, is certainly not a new one. We have the debates as regularly preserved as the journals of parliament*; nor can there be any honest reason for

* Grey's Collection of Debates, in ten volumes, was published under the direction of the late Arthur Onslow, Esq.

concealing them. Mr. Onslow however thinks it necessary to persecute the press, and the House of Commons is mean enough to take part in his caprices. Lord North, who had so lately rewarded the Reverend Mr. Scot with the best living in the king's gift for heaping invectives equally dull and virulent upon some of the most respectable characters in the kingdom, is now shameless enough to support a motion against the liberty of the press with the whole influence of the crown. [That their practice might be every way conformable to their principles, the house proceeded to advise the crown to publish a proclamation universally acknowledged to be illegal. Mr. Moreton publicly protested against it before it was issued; and Lord Mansfield, though not scrupulous to an extreme, speaks of it with horror. It is remarkable enough that the very men who advised the proclamation, and who hear it arraigned every day both within doors and without, are not daring enough to utter one word in its defence, nor have they ventured to take the least notice of Mr. Wilkes for discharging the persons apprehended under it.]

The pretended trial of the lord mayor and Mr. Oliver resembled the dark business of a Spanish inquisition, rather than the fair proceedings of an English court of judicature.

These gentlemen as magistrates had nothing to regard but the obligation of their oaths, and the execution of the laws. If they were convinced that the speaker's warrant was not a legal authority to the messenger, it necessarily followed that, when he was charged upon oath with a breach of the peace, they *must* hold him to bail. They had no option. Yet how have they been treated? Their judges had been partially summoned by treasury mandates pressing attendance, and demanding a vote of condemnation. They were tried and condemned at midnight, without being heard by themselves or their counsel on the only point on which their justification could possibly depend.—In short, Sir, a question, strictly of jurisdiction, was referred to numbers, and carried like a common ministerial measure. Their next step was to force the lord mayor's clerk, by the terror of a prison, to erase the record of a judicial proceeding, held regularly before the chief magistrate of the city. Lord North himself made the motion, and declared that the constitution could not be safe, until it was carried into effect. They then resolved that all prosecutions for the assault (which, though charged upon oath, they call a pretended one) should be stopped. I wish that grave and sober men would consider, independently of

the other questions before us, how far this particular precedent may extend. If the House of Commons may interpose, in a single instance, between the subject, who complains, and the laws, which ought to protect, I see no reason why they may not, at any time, by their vote, stop the whole course of justice through the kingdom. Besides the injury done to the subject, their granting a *noli prosequi* is in effect an incroachment upon the royal prerogative *.

Many circumstances of insult have been mixed with these measures of violence.—Their pretended lenity to the lord mayor, which he nobly refused to accept of, amounted only to an offer of the garrets of the house for the place of his confinement instead of the Tower; and, though it be of less moment, it is still worth

* The following is a copy of the minutes of the House of Commons, of March 20, 1771, here referred to.

That James Morgan, clerk of the lord mayor, do at the table expunge the minutes taken before the lord mayor, relative to the messenger of this house, giving security for his appearance at the next general quarter sessions of the peace; and he accordingly at the table expunged the same.

Motion made, and question proposed,

That no other prosecution, suit, or proceeding, be commenced, or carried on for, or on account of the said pretended assault, or false imprisonment.

It passed in the affirmative. EDIT.

observing, that the indignity offered to the city is aggravated by the time expressly chosen for imprisoning their chief magistrate. Not content with interrupting all city business, they fixed upon Easter, because it is the chief city festival, and found a contemptible gratification in putting a stop to the amusements usual at this season, and depriving a public charity of the customary collections, which they knew must be reduced to nothing by the absence of the lord mayor.

Nothing remained but to keep up a terror and alarm through the kingdom by appointing committees of inquiry. This double star chamber was moved for long after midnight, and lists partially sent round by the messengers of the treasury.—Where will these arbitrary, iniquitous proceedings end? The ministry, I doubt not, have a plan prepared, but it is such a one, as they neither dare openly avow, nor uniformly adhere to. One day they appoint committees of inquisition to sit *de die in diem;* —the next thing we hear is that the committees are adjourned, and the members of them dispersed into the country.—After advising the king, very unnecessarily, to go to parliament, they come to him, while his equipage is in waiting, contradict their own advice, and endeavour

to stagger his resolution, at the moment when he has most occasion for it. They alone are answerable for all the indignities heaped upon the king's person, since they could not but foresee, that the people would take the earliest opportunity of resenting the imprisonment of their magistrates.

When the Princess of Wales was named in the House of Commons, where was that zeal, which some people boast of, for their royal master? The mother of their sovereign was branded by name, as the authoress of all our calamities, and the assertion passed without censure or contradiction.

Sir, I most truly lament the condition, to which we are reduced; and the more so, because there is but one remedy for it, and that remedy has been repeatedly refused.—A dissolution of the parliament would restore tranquillity to the people, and to the king the affections of his subjects: the present House of Commons have nothing to expect but contempt, detestation, and resistance. This violent state of things cannot long continue. Either the laws and constitution must be preserved by a dreadful appeal to the sword; or (what probably is intended by the present system of measures), the people will grow weary of their condition, and surrender every thing into the king's

hands, rather than submit to be trampled upon any longer by five hundred of their equals.

A WHIG*.

* The passages in this letter which are placed within brackets, are retranscribed by the author, and added as notes to his letter XLIV. published in his own edition under the signature of JUNIUS; where the reader will still find them.

The messengers were indicted in defiance of the resolutions of the House of Commons, and true bills were found against them, but further proceedings were stopped by the attorney-general entering a *noli prosequi*. As the arguments urged by Mr. Adair, who was of counsel for the printers, on shewing cause against this measure, are extremely curious, and not generally known, we shall subjoin them for the information of the reader, and for the better elucidation of this and other letters upon the subject of this important dispute.

Mr. Adair, in pursuance of notice, attended the attorney-general, Mr. De Grey, on the 17th of May, 1771, and after the indictment and an affidavit of the defendant had been read, spoke as follows:—

"It requires no arguments to shew, that though the entering a *noli prosequi* on prosecutions at the suit of the king only, is an undoubted prerogative of the crown; yet like all other prerogatives, it is intended for the general good of the subject, and not for the hindrance or interruption of public justice.

"It is indeed a discretionary power, but it is to be exercised not according to an arbitrary but a sound and legal discretion. It is for this reason, Sir, that it is not left to the wanton caprice of a favourite, or the arbitrary will of a minister, to be executed at pleasure, but it is deposited as a public trust in the hands of the attorney-general, that the exercise

LETTER XCVI.

For the Public Advertiser.

15 *April*, 1771.

TO THE EARL OF SUFFOLK.

MY LORD,

THE singularity of your late conduct seemed to claim some attention from the pub-

exercise of it may be directed by his knowledge of the laws and constitution of the kingdom.

" Many reasons may be suggested why this power should be most sparingly exercised in cases of prosecution by indictment.

" Though the king's name is necessarily used as the general guardian of the laws, there is another party concerned in indictments, the injured party, who is for the most part the real, as the king is the nominal prosecutor.

" The practice too of entering a *noli prosequi* on indictments is but of modern date.

" In the case of Goddard and Smith in the 6th Illod. 262, Holt, chief justice, said, ' He had known it thought very hard that the attorney-general should enter *noli prosequi* upon indictments, and that it began first to be practised in the latter end of King Charles the Second's reign, and he ordered precedents to be searched, if any were, in Mr. Attorney Palmer of Nottingham's time; and at another day he declared, that in all King Charles the First's time there was no precedent of a *noli prosequi* on an indictment.

" I therefore submit to you, that (sitting here to determine upon the application of a power so recent in its commencement,

lic, which you do not, I presume, think you have entirely escaped: but since by their silence

mencement, and of which we are told by so respectable an authority, that it has been looked upon as a hardship in itself), you will require the most cogent reasons to induce you to exert it upon this or any other occasion.

" Those reasons must arise either from the conduct of the prosecutor, the personal situation and circumstance of the defendant, or the subject matter of the prosecution.

" I do not find from the affidavit of the defendant, which is the only information I have had of the grounds of his application to you, that he complains of any particular hardship or oppression, arising either from unnecessary delay, unusual rigour, or any other misconduct in the prosecutor: he must therefore expect the extraordinary interposition of the prerogative in his behalf in this instance either from something peculiarly favourable in his personal situation, which entitles him to the protection of the crown, or from the charge against him being totally groundless and unfit to be discussed in a court of justice.

" As to the first of these points, if we consider Mr. Whittam not being a magistrate's constable, or any other officer intrusted with the execution of the laws, but acting merely in a private capacity, as wantonly assaulting one of the king's subjects, in his own house, who was not even accused of any crime, and violently attempting to deprive him of his liberty; if I say we consider him in this point of view, he can hardly be thought a fit object of the royal favour and protection: but if we view him in the light in which he has thought proper to place himself by his own affidavit, he will be found, if possible, still less entitled to that exertion of prerogative for which he has applied. He tells you, Sir, that he is a messenger of the House of Commons, that in that character,

they either think you superior to shame, or below the dignity of revenge, I cannot help giving

character, and acting under the express orders and authority of that house, he did the fact with which he is charged in the indictment. Does he mean, Sir, that you should consider this as a reason for granting a *noli prosequi?* When was it heard before that an exertion of prerogative was necessary to support the authority and privileges of the House of Commons? When was that house known to sue to the servants of the crown to screen their officers from the laws, or protect them from the indignation of an inconsiderable printer?

"I believe when any of their privileges have been really invaded, they have never been found wanting either in power or inclination to support them; and I am satisfied that if the house were now sitting, Mr. Whittam would not have dared to make an application so manifestly tending to expose their privileges and authority to ridicule and contempt. But, Sir, I am persuaded that the honour and dignity of the House of Commons are safe in your hands, and that you will suffer no act to proceed from you that can throw even an oblique imputation upon them.

"If there is for these reasons nothing in Mr. Whittam's personal situation, or circumstances, which can entitle him to an extraordinary interposition in his favour, it remains only to be considered whether any motive can be suggested from the subject-matter of the prosecution to induce you to put a stop to it by an exertion of the royal prerogative.

"The charge set forth in the indictment, and not denied by the defendant's affidavit, is for assaulting and imprisoning the prosecutor, Mr. Miller. It will not be contended that there appears any thing upon the face of the indictment oppressive, illegal, unfit to come before a court of justice, or

which

to them what I owe on this occasion, which, had I only considered the gratification of a

which affords any motive whatsoever for granting the *noli prosequi;* the reason, therefore, if any must arise from the matters set forth by the defendant's affidavit. The affidavit states, that the defendant is one of the messengers of the House of Commons; that the speaker's warrant for apprehending the prosecutor was issued by order of the house, and that in consequence thereof, the defendant, to whom the warrant was delivered, did make the arrest with which he is charged in the indictment, and that he used no violence in so doing other than seizing Mr. Miller by the arm as is usual in arrests.

" I apprehend it is not incumbent upon me here to consider, as I submit it is not competent for you, Sir, to determine in this summary manner, whether the matters here set forth do or do not amount to a good defence, or legal justification. We are not now to try the cause; but you, Sir, I am confident, will not interpose the prerogative of the king to prevent our trying it in the regular course before the proper jurisdiction, unless the prosecution as it now appears before you, is so clearly and manifestly groundless, and unfit for discussion in a court of law, that it would be an abuse and mockery of public justice to bring it to a trial. If the authority under which Mr. Whittam alleges himself to have acted was not competent to authorise the fact which he committed, or if that authority never was in fact delegated to him, in either of those cases the prosecution is well founded in law. If any doubt or question can be raised on either of these points, it is not so clearly groundless as to justify the putting a stop to it by prerogative before those questions are legally determined.

" It might well be questioned, whether the House of Commons

passion, I should have sooner done. I own I now do it with some distrust of my own abili-

Commons has any power by the laws or constitution of this kingdom to authorize the issuing of such a warrant as that under colour of which Mr. Miller was apprehended.

" It might be said, and supported too by the greatest authorities, that they cannot by any act of theirs singly, create any new power or privilege to themselves. That there was a time when they evidently neither possessed nor claimed any such power as that in question; and when the authority of an act of parliament was thought necessary to punish even so undeniable a breach of privilege, as the assaulting the person of a member attending upon his duty in parliament. The statute, Sir, which I here allude to, is the 11th of H. VI. c. 11. which was made to extend the provisions of 5th H. IV. c. 6. for punishment of assaults on the servants of members of parliament when attending on their masters in their duty, to the persons of the members themselves. It might be urged, that the power in question has never been given them by any act of parliament, and that if there ever was a time when they did not possess it, they can by no other means have legally acquired it. All this and much more might be said, if it were necessary to dispute the authority of the House of Commons to issue the warrant for the commitment of Mr. Miller; but it is sufficient for me at present to contend, that whether they had, or had not the power, they never did in fact give the defendant any authority whatsoever to make the arrest in question.

" The warrant, Sir, under colour of which Mr. Whittam acted, is a warrant purporting to be issued in pursuance of an order of the House of Commons, and signed Fletcher Norton, speaker. But, Sir, the order of the house, as it is recited in the warrant itself, is for taking Mr. Miller into

ties, in doing justice to the undertaking. Your lordship must be aware that it is generally a

the custody of the serjeant at arms, or his deputy; and Mr. Whittam is described in the direction of the very same warrant to be neither the one nor the other of these. No authority whatsoever can be conveyed to Mr. Whittam by virtue of an order, in which he is not named, and which particularly points out certain persons, in contradiction from all others. This warrant, therefore (so far as it relates to Mr. Whittam), appears to be issued by the speaker, merely of his own authority, unauthorized by any order of the House of Commons. Has the speaker any power to commit, unless he derives it from the orders of the house? If he has not, which must be granted, he is bound strictly and literally to pursue that order which creates his authority: as far as he exceeds it, he acts without authority himself, and most clearly can convey none to any other person. Mr. Whittam, therefore, in this case, acting without any legal authority whatever, in the arrest of the prosecutor, a prosecution grounded upon that cannot be considered as totally void of foundation. But supposing for a moment that the prosecution was frivolous and ill-grounded, I submit that that alone would not be a reason for the extraordinary interposition of the crown. If it would in this case, it must in every other; every defendant who fancied himself unjustly prosecuted would apply for protection to the crown; and almost every indictment must first be tried by the attorney-general before it could come regularly into a court of justice. I presume you will conceive it was not for these purposes that this prerogative was vested in your hands; and that there must appear some strong reasons peculiar to the case to shew why it is improper and unfit for public discussion, besides merely that of the prosecution being ill-grounded, to induce you to make

matter of some degree of delicacy to undertake the discussion of any part or system of politics,

make this extraordinary interposition. I submit to you, Sir, with great deference, that there appears no such reasons in this case. Every motive of policy and prudence seems to weigh on the other side. The question to be tried is the most important that can well be conceived. The privileges of the House of Commons on the one side, and the liberties of the people of England on the other, are said to be materially affected. Perhaps indeed it might have been wished that this great question had never been started, or brought to the public view, by issuing the warrant in question. But when it has been already so much agitated, and has engrossed the attention of the public, it seems necessary, for the satisfaction and quiet of the kingdom, that it should proceed to a solemn and legal determination in a court of justice. If, therefore, Sir, the House of Commons had no authority by law to authorize Mr. Whittam to make the arrest upon the prosecutor, or if, in fact, no authority was delegated to him, in either of these cases he has illegally assaulted an innocent man, and deprived him of his liberty; and the entering a *noli prosequi* would be no obstruction of public justice. If on the other hand the House of Commons had a legal authority, and regularly delegated the execution of it to Mr. Whittam, the public should be convinced of it by a discussion and determination in a court of law. And the granting the *noli prosequi* in that case would tend to mislead many people into an opinion that it was done to screen an offender from the laws, who had no legal justification in a court of justice: I therefore submit to you, Sir, for these reasons, that you, as attorney-general, will not think proper in this case to grant a *noli prosequi.*"

Mr. Attorney-General. "Do you produce any evidence?"

as it is of some difficulty to avoid the share of imputations which are indiscriminately thrown

Mr. Adair. "We offer no other evidence than what appears in the affidavit of the defendant himself, and the warrant to which it refers."

Mr. Attorney-General. "You are extremely right in this that it is not at all a fit thing for the attorney-general to try either the fact upon which the defendant is indicted, or to determine the law. The only question is this, whether it is fit for the king to interpose as the prosecutor of this offence? That, I take it, should be the ground of your argument, and the point upon which I expected satisfaction. The affidavit itself states the messenger of the House of Commons to be acting under the authority of the House of Commons; and if this was the only way in which that question could be brought before a court of law, I should be obliged to give an opinion whether it ought, or whether it ought not.

"The only point I have to consider is, whether it be fit for the name of the crown to appear in prosecuting one who appears to be the messenger of the House of Commons, and to be armed by the authority of that house for doing the very thing he has done under the orders of the house? I don't mean to pass over the objection which has been made, that the speaker of the house, by orders of the house, directing the warrant to a person not named in such order, whether that order extends only to arresting the prosecutor, and taking him into the custody of the serjeant at arms, or his deputy: I dare say I take Mr. Adair's objection perfectly right; the order of the house is for taking him into the custody of the serjeant at arms or his deputy; and the objection is, that the person in whose custody the prosecutor was originally taken, is neither the serjeant at

arms,

on all who submit their anonymous opinions to the public. Though these reproaches may fall

arms, or his deputy; and the doubt you raise upon it is, whether the speaker of the House of Commons can authorize another person to arrest and bring him into the custody of the serjeant at arms, or his deputy; for the serjeant at arms, or his deputy, is the proper and the only custody I know of belonging to the house, and the gentleman's argument is, that in point of the arrest it cannot be made without the serjeant, or deputy serjeant, with respect to the orders of the House of Commons, and the direction of the warrant by the speaker, which is a question of law to be sure. It has been constant in point of practice for the messengers to be employed (in the orders of the house, and for other than messengers to be employed) upon the very same occasion. There is nothing so constant as the messengers all to be employed: there are some few instances where more than the messengers have been employed upon these occasions. The difficulty upon it was, whether they should or not be inserted in the warrant; or whether if they were not inserted in the warrant, it could be construed under the general description of the serjeant at arms, or his deputy; or whether that authority could go to warrant those which might be appointed by the serjeant at arms, or his deputy, upon that occasion. It was thought more proper to make a warrant directed to the person to be employed, though it was mentioned in the orders of the house that the custody was to be that of the serjeant at arms, or his deputy, according to the usual form of their orders.

"But the only point for me to consider is, how far it is fit the king should be the prosecutor of a servant of the House of Commons in the exertion of a privilege which they now claim, which they have claimed for ages, and have been in the possession of for ages, and that the king should

on those whose names would give some credit to their assertions, yet while they adopt the

should be brought into a proceeding against the servant of the house as a prosecutor. The *noli prosequi* is called a prerogative right of the crown; it amounts to no more than this, that the king makes his election whether he will continue or not to be the prosecutor upon an indictment, and the *noli prosequi* is entered in the same words in case of the crown as of a private person. The entry upon the record is exactly the same by the attorney-general as by a private plaintiff upon record in any civil suit.

" I did expect that you would have given me some reason for entertaining an opinion, that it was decent and fit for the crown to continue and stand forth as a prosecutor for the messenger of the House of Commons acting under their direction, in maintenance of a privilege they have claimed and held so long. That is the only point I put it upon. The affidavit as made by the defendant makes it necessary to consider him as an officer of the house.

" I did not indeed expect any disputes upon it, or that it would be put upon so small a ground: the reason I expected was, that it was becoming an officer of the crown, in the name of the crown, to continue a prosecution by the crown against the messenger of the House of Commons acting under the authority of the House of Commons."

Mr. Adair expressing a doubt whether it would be proper for him to make any reply to this, the attorney-general said he should be glad to hear him.

Mr. Adair. " With regard to what you have suggested, it is true the entry upon record is the same in the case of the crown as of a private person, yet in a prosecution by indictment the crown is not solely concerned. To make the case exactly similar, it should be an information *ex officio*,

common method of hirelings, their writings must expect the same treatment. With what-

officio, or any other really and truly a crown prosecution, and then the entering *noli prosequi* upon that, would be the same as upon private actions. But in the case of indictments the king being in fact a nominal prosecutor, though his name is necessary, and the injured party being the true prosecutor, who applies to the laws of his country for justice against the offender, who has violated those laws and particularly injured him; if in that case the king puts a stop to this prosecution by withdrawing his name from it, it is the same in effect, though not in form, as if he sent his mandate, and said that prosecution should not go on; because if he withdraws his name from it, that prosecution cannot by the laws go any further, the prosecutor himself cannot proceed in his own name; the withdrawing that name has the same effect as the actual interposition of prerogative by the attorney-general, and operates the same as a pardon. Mr. Whittam being alleged to have acted under the authority of the House of Commons, to have had a warrant directed to him; the question is not whether the warrant is legal or not, but whether it is proper for the crown to put a stop to that prosecution, and whether the privileges of the House of Commons being said to be concerned, any interposition of the crown be necessary to support their authority. If Whittam has acted in pursuance of the order of the house, if those orders are such as the house has a competent authority to make, I submit that it cannot be a doubt that that matter pleaded or brought in a regular manner before a court of justice would be a sufficient defence. If the courts of law are of opinion that the house has that authority, and that it was regularly delegated to Whittam,

ever circumstances any object of my notice might be attended, I should expect criticism,

Whittam, they would necessarily be of opinion to acquit him; and upon that ground there appears to be no necessity for the crown withdrawing itself from a prosecution, which by no possible means can prove oppressive or injurious to the defendant. If he has acted under a legal authority, he must be legally acquitted in a court of justice. But if the authority is not sufficient, or not regularly conveyed, it is proper, for the sake of justice and the liberty of the subject, that judgment should be pronounced upon it in a court of law. I believe the prosecutor does not contend, that the defendant has been guilty of that kind of offence, for which he means to prosecute him with any rigour; he don't mean to oppress him, or proceed for the sake of punishment only; whether it is five pounds or five thousand is indifferent to him; the only thing he wishes is to have the question decided by a legal competent jurisdiction. If it comes regularly before the court, though perhaps upon this indictment it could not, but if it does, the question is, whether the speaker of the House of Commons had a sufficient legal authority to authorize that arrest, or whether the defendant has actually acted under that authority, such as it was; and I submit to your consideration, whether, upon that point, such interposition appears to be necessary in this case, either upon behalf of the defendant, or of the privilege of the House of Commons."

Mr. Attorney-General. "I don't put it upon the tenderness to Mr. Whittam, or the point of privilege of the House of Commons, but merely upon the foot of decency, as the circumstance of the crown taking a part in the prosecution (which they must do if they go on with it) against the

and I hope I could bear it with temper. I cannot however help considering it as a lucky circumstance, that the first production I ever ventured to give to the public excludes the possibility of any imputation, as the actions I shall condemn admit not the possibility of defence. Before I arraign your subsequent conduct, which I mean to do pretty freely, I must admire the simple *candour* with which you have declared yourself without principle. In the most destructive administrations, composed of men perhaps more profligate than your lordship, care has generally been taken to save, in some measure, appearances with the public; and although the destruction of this constitution has been pretty clearly their object, they have never ventured openly to avow it: even the Duke of Grafton did not condemn his own principles, though he avowed and gloried in such measures as no man with principle could undertake. Your lordship is the first man who ever saved others the trouble of accusation. Your protests must remain to all posterity a monument of

the messenger of the House of Commons, acting under the authority of the warrant of the speaker, pursuant to an order of the house."

Mr. De Grey, the attorney-general, was afterwards chief justice of the common pleas, and Mr. Adair, subsequently, recorder of London. EDIT.

your infamy; and one would almost imagine you designed they should. You are young, my lord: you thought it was necessary for a man of fashion to engage in public business; and as some of your private connections happened to be in opposition, you went with the stream, and opposed. Apparently attached to that party, you perhaps thought it a civility to adopt and pursue their measures, whatever they were, of opposition; and your vanity was afterwards tickled with an offer from administration which your civility would not permit you to refuse. You did not reflect, or perhaps you did not know, that you was catching at an object which was not attended even with the usual appearance of honour; and you did not then consider (for I am sure you must now recollect), that you was attaching yourself to men from whose connection that protest, which will now be transmitted down with ridicule to your posterity, ought to have excluded you for ever;—or perhaps to speak more fairly or more fashionably, you thought the force of such declarations was no longer of consequence when the purpose was answered for which they were made.—These reasons are so much below a school-boy, that I am sure your lordship would not be willing to allege them; and if you have in the world a friend, he will not wish you should: but un-

happily friendship is not one of those ruling objects which you have been solicitous to preserve, however fortunate you may *formerly have been* in obtaining it.—The man who without honour to support any administration from principle, has still craft enough to betray all, may perhaps be solicited by every successive minister, or perhaps their credulity may be deceived into his friendship; but the poor, untaught villain, who can neither support with consistency, nor betray with decency, will be *despised* by those whom he deserted, and ridiculed by the very men to whom he has made so capital a surrender. Your lordship, I believe, sees with some uneasiness the truth of the observation, and I will give your conscience credit for the feelings it must produce; I would therefore consider you, what you seem willing to be considered, an object of pity rather than of reproach. The situation in which you appeared before a whole House of Peers, and the trial you then underwent, might be an object of triumph to some men; but I hope all hearts were not shut to the feelings of compassion, I am willing only to extend reproach to those who seem proud of receiving it. The criminal who is executed at the gallows ought not to excite the anger, much less the exultations of the public, whom he has defrauded; but the

villain who has seduced him to the commission of the crime for which he suffers, and who glories in his impudence, has a claim to all we can give him—our detestation and our curses. The comparison I think you understand, and I believe you have sensibility enough to feel it; indeed you testified it sufficiently to those who could observe you wished to justify, or at least to excuse so extraordinary a change of principles and conduct; your courage forsook you, and you did not dare to rise. The Duke of Grafton, when he deserted those principles and those connections to which every sentiment of honour ought to have allied and bound him, seemed happily to have lost all that *mauvaise honte* with which young adventurers like his grace were usually attended, and he creditably told us, that he gloried in his situation. Your lordship's prostitution was not attended with those peculiar circumstances which attended his; you felt the sacrifice you had made, your conscience forced your silence, and every man was confounded; administration looked for a notable advocate, but were deceived with a reproach which cut them to the quick. For your own sake, my lord, let me advise you to consider your own plan, and let me appeal to your understanding for its acquittal. Your situation by birth is such as put it in your own power to

have acquitted yourself in life respectably, and your connection with such men as Lord Rockingham, Sir George Saville, the Duke of Portland, and the Duke of Richmond, were no disgrace to you. Was your fortune encumbered with debt, or sold through extravagance? Had you a numerous family to provide for, whose support you could not command from your own establishment? Had administration reverted its order of governing, and given you any security for the preservation of our rights and redress of our grievances?—If any private assurance of this sort has been given you, I shall think your conduct has been consistent, though it will still be disgraceful, with respect to your friends in opposition. You will not answer any of these questions in the affirmative; nor is it necessary you should answer them at all. The two first propositions I know to be false. The third, if it had existed, would before this time have been declared. Thus we see a hopeful young peer possessed of an independent fortune, with an only child, a daughter, connected with the most honourable characters in this kingdom, prostituting his honour, and every valuable consideration of the public, for that of an office, independent even of those sweet allurements which could, one would imagine, make the bitter pill go down. For shame, my lord, to throw your-

self away under such circumstances at the discretion of *such* an administration! Had you, like poor Whateley, been reduced from a state of independence, to the humiliating necessity of soliciting your support from administration, our reproach would be only turned against those who creditably took advantage of such a situation, and gratified themselves with the purchase of an honest man's reputation; and though we congratulated them on the acquisition which they had prudently secured, we should sincerely pity the object of their triumph. I am neither surprised nor shocked at any inconsistency in Mr. Wedderburne; his profession sets his principles at auction, and it is reasonable that the highest bidder should command them: but that the Earl of Suffolk should act such a part, I own astonished me: a man who had every thing to lose, and nothing to gain by prostitution: that an independent peer of England should voluntarily pledge himself to his country for the exertion of every right and every power, with which the constitution had vested him for their service, and should after this betray every interest of the public, and desert that service; that he should in one session repeatedly declare to this purport, if not to this tenour, that he would *never hereafter* be induced for *any* consideration to herd with men whom

he considered as enemies to their king and country, and in the next deliver over his conscience, his right and his powers into their hands at their discretion, and thereby include himself in every odious term of reproach which he had so liberally bestowed on them. There seems something at least extraordinary in such conduct; and we are induced, with some curiosity, to enquire, for God's sake, Sir, from what consideration could Lord Suffolk be induced to take so strong a part with opposition, if he intended the next session to betray it? Or if he was then sincere in his attachments and his professions, what views could he have in deserting them? These are reasonable, and I think natural questions. We cannot but commiserate the mortifying state of human nature, when we are answered the truth, and informed of the circumstances attending it. Had you, my lord, been entrapped, like poor York, by the prevailing force which was contained in the personal entreaties and solicitations of Majesty, and had your honour been seduced and struck into compliance, though we should abhor the act, we should acquit at least *you* of the guilt; and you would have had a just claim to our pity, unmixed with our contempt. But, my lord, what are we to say when we see a man in your lordship's situation stooping to so humiliating a

consideration, as to *entreat* a connection in office with those very men whom you had before reviled and despised? That you should, after being answered with an air of superiority, that you was at least the third to be considered, that you should wait with patience and resignation, and see three men successively refuse such a connection, and then accept it under such circumstances. The conclusion which we are to draw, I leave to your lordship's feelings to determine; you have had time to reflect on your situation, and I would not wish to add more to embitter the sweets of office. Had this address appeared sooner, while you was *fortuna dulci ebrius*, you would perhaps have laughed with Lord Sandwich at the undertaking of one who endeavoured to prove, that honesty and virtue had any real existence. You would, like the Duke of Grafton, have perused it at your tea-table, and perhaps taken a pride, like Lord Hillsborough, that you was dignified with an enemy, though you had not like him preserved a friend. But I think, my lord, a sufficient time is elapsed, during which some intervals of private reflection and remorse must have interfered, and the flattery of those who purchased must have subsided, and left your conscience and Mr. Grenville to reproach you. For I still believe you to consist of that composition,

which without virtue enough to avoid prostitution, has still feeling enough to be ashamed of it.

Yorkshire, 7 *March*, 1771. HENRICUS.

[This letter has been misplaced, or would have appeared sooner.]

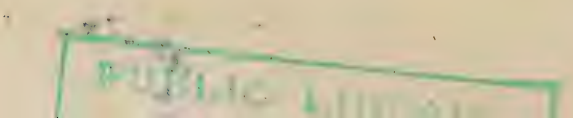
LETTER XCVII.

TO THE EARL OF SUFFOLK.

MY LORD, 21 *May*, 1771.

In my last address to your lordship, I spoke to your feelings. I thought your conduct was such as could afford no very pleasing reflection; and I readily believed that you was willing to consider the tenderness which had been preserved on the occasion with that silent gratitude which refined and delicate feelings must naturally suggest. It was acknowledged that Lord Suffolk acted without virtue or without reflection; and I believe most men concurred with me in supposing that you had feeling enough to be ashamed of a transaction, which you had not courage to avoid. The resignation with which you seemed to submit to your ignominy was some pledge of your delicacy, if not of your integrity. You was pitied,

I believe, by all mankind, and perhaps by some you were forgiven; the transaction sunk, as it might be supposed you wished it should, in silence and obscurity. It was not, I believe, imagined that you would ever be found hardy enough to renew the consideration of an affair, which every man who felt for you must wish to be forgotten. It was not conceived that so short a time would have reconciled you to a measure, which no man of understanding could view without ridicule. But we live in an age where no inconsistency is irreconcilable, and are governed by men with whom no villainy is inconsistent. They have, I suppose, my lord, made a convert of your understanding as well as your integrity, and you may be indebted to the piety of Lord Sandwich for a system of ideas more conformable to the plan you have pursued. He may have taught you, that to repent of successful villainy is still greater folly than to preserve integrity. I congratulate you on the connection you have formed, and the acquisition you have secured; especially since you have lost nothing but your honour; a term "more adapted to Roman barbarism than to the civilized regulations of English (I beg pardon) Scotch policy."—Your lordship, I believe, recollects the inconsistency which occasions this address. Your speech on the Duke



of Richmond's motion in the House of Lords was a pretty remarkable adventure.—Had you contentedly and professedly resigned yourself without attempting to reconcile your present with your former system, your conduct, believe me, would never have called out a second attack on so truly contemptible a being. It is the singular immodesty of your behaviour which I own has tempted me to expose you, as you are willing to be an object of public detestation and disgust. There are few men, except Mr. Wedderburn and your lordship, who would have gone through the difficulty of exposing themselves to those who had such evidence against them, with that happy indifference which we have experienced from you both. To preserve the hypocrisy of patriotism, after you had openly made your compact with corruption; to profess consistency in adhering to the words of a protest, on the tenour of which your whole conduct is the grossest ridicule; and to possess the characteristical firmness of administration in reviving so ignominious a consideration, requires more courage and intrepidity than most men have the good fortune to possess: but I allow your friend Wedderburn has out-stripped you. He has modestly ventured not only virtually, but directly to attack

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opposition for measures which he himself conceded in promoting; and hears himself despised, execrated, detested, without fear, and without anger. Let him excuse me when I assure him, with some very allowable pride, that I do not think he has a claim to any notice beyond my advice to consider, that the power from whence he derives very superior abilities, will expect and must receive an account to what purposes they have been employed.—You will now perhaps ask me, in all the hypocritical simplicity of St. James's, what part had I to act after making a traffic of my abilities which might not have given offence? I justified before all mankind the protest which I had signed, and the pen of satire has been busy to condemn me. Had my conduct been different, would it have been consistent? Would it have been satisfactory? To this I must answer,—You had brought yourself, my lord, into that odious situation, where you could neither retreat with decency, nor persevere with integrity; but to have retired from the curses of your countrymen would have been remembered, I believe, more to your credit as a man, if not as a minister; but I make too great allowance I find for human nature. I have not reflected that the only valuable consideration is interest;

and I have forgot that influence to which Mr. Yorke is indebted for a very hazardous eternity.—For the future I shall learn to view things with less *candour*, and observe villainy, if not without mortification, at least without surprise. I shall now take my leave of your lordship, probably for ever: but I must congratulate you, my lord, on that ambition which has led you to inquire into those desirable *arcana* of a court, by which you have learned a sort of loyalty distinct from duty to his Majesty, or affection to his family, by which you have found that it will be for your interest, and consequently for your honour, to attach yourself hereafter to men, who, while they act directly contrary to the interest of their countrymen, and indifferent with regard to their confidence or esteem, can hug themselves among the highest of mankind, and ridicule the contemptible folly of those whose virtue has excluded them from their share in the plunder of mankind.

HENRICUS.

LETTER XCVIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 28 *June*, 1771.

In answer to the card repeatedly addressed to *Domitian* *, he desires it may be observed that, although he has not altered his sentiments with regard to the Duke of Grafton, the case has not happened in which he thinks himself bound either by the letter or the spirit of his promise to the public. The duke *is not* first lord of the admiralty †, nor is he actually in any post in which patents can immediately be sold by himself; or by Tommy Bradshaw, or by Miss Polly Bradshaw, who,

* The following is a copy of the card:—

19 *June*, 1771.

TO DOMITIAN.

In your second letter is this remarkable promise:—"Tell the Duke of Grafton, that, if he should dare to entertain the most distant thought of the admiralty, the whole affair of *Hine's patent* shall be revived, and published with an accumulation of evidence. He at least shall be kept under. His Ciceronian eloquence shall not save him."

As the Duke of Grafton has got an higher and more lucrative office, it is expected by the public that you now *fulfil your promise.* EDIT.

† His grace had now rejoined the ministry, and held the office of lord privy seal. EDIT.

like the moon, lives upon the light of her brother's countenance, and robs him of no small part of his lustre.—The fact was notorious. The sale of that patent to Mr. Hine, (the only man of merit whom the Duke of Grafton ever provided for,) so far from being denied, was publicly defended. Yet the House of Commons, who pretend to be the grand inquest of the nation, suffered this infamous breach of trust to pass by without censure or examination. For the present, therefore, it would answer no good purpose for *Domitian* to produce his evidence. But perhaps the day of inquiry is not far off. In the mean time to shew the duke that *Domitian* does not speak at random, he begs leave to remind his grace that there are three such persons in the world as *Ross*, the agent,—*Taylor*, the house-builder; and *Taylor's little boy.—Verbum sat.*

Domitian, upon the whole, thinks he may venture to leave the Duke of Grafton, or, (if there be one more odious, more base, and more contemptible person of rank in the kingdom) that he may safely leave them both to the care of JUNIUS*.

* He refers to JUNIUS's two letters to the Duke of Grafton, No. XLIX and L. dates, June 22 and July 9, 1771. Vol. II. p. 242 and 249. EDIT.

LETTER XCIX.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *5 July*, 1771.

Events and characters of a similar nature recur so often within the compass of a few centuries, that history is in effect little more than a repetition. The scenes and names of the performers are changed, but the fable is the same.—I was led to this observation by a passage I lately met with in a modern French author. The account he gives us of the Emperor Valentinian the Third deserves our notice :—" Le premier soin de cette princesse fut d'inspirer à son fils l'horreur de l'heresie et le respect pour l'église ;—qualités très estimables dans un souverain, mais qui ne purent couvrir le vice d'une education molle et efféminée. Sa mere travailla plus à former sa croyance, que son esprit ni ses mœurs ; aussi fut-il toujours très catholique, sans être jamais Chretien." For the benefit of my Lord Suffolk, I shall give you a translation. Mr. Wheatley, I hear, has got the start of his master, and, with the help of a dictionary, may do it into English for himself. " The Princess Dowager made it her first care to inspire her son with horror against heresy, and with a respect for the church ; qua-

lities much to be esteemed in a sovereign, but not sufficient to conceal the defects of a soft effeminate education. His mother took more pains to form his belief, than either his morals or his understanding, so that he was always an excellent catholic without ever being a Christian." I do not mean to apply the passage, but merely to save some future historian the trouble of drawing a new character.

I am, Sir,

Your humble servant,

AN INNOCENT READER.

LETTER C.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 16 *Oct.* 1771.

If the pert youth who calls himself *An Old Correspondent* *, and who makes free with Junius, does not know the difference between *contact* and *collision*, nor between the *friction* which produces the electrical powers,

* A letter under this signature appeared in the Public Advertiser in answer to Junius, Letter lix. and was by him attributed to the late Mr. Fox. That Junius was inclined to favour, or rather, in the words of the concluding paragraph of this essay, to spare Lord Holland, is obvious throughout these letters, but will be more particularly seen by a reference to Private Letter, No. 5.

and the action of flint and steel which produces sparks of fire, his ignorance must be deplorable. But what right has he to change the terms?—Why say *contact* when JUNIUS says *collision?*—When this pert youth asks what virtue there is in Mr. Wilkes, I wish he would tell us what fire there is in flint and steel. It is action that makes them sparkle, and, if there be any thing combustible in the passions of Mr. Nash, a single spark may set him on fire.

Again, JUNIUS admits the strict right of pressing seamen, but denies the king's right to arm his subjects in general, excepting in the case of an invasion. This my pretty *Black Boy* calls a retractation of JUNIUS's first concession, and applies to his aged father for an old woman's proverb.—JUNIUS speaks of *softening the symptoms of a disorder*. The *Black Boy* changes the terms again, and destroys the allusion. The rest of his letter is of a piece with these instances; a misrepresentation of JUNIUS, equally pert, false, and stupid. *Ex his disce omnia.*

I know nothing of JUNIUS, but I see plainly that he has designedly spared Lord Holland and his family. Whether Lord Holland be invulnerable, or whether JUNIUS should be wantonly provoked, are questions worthy the *Black Boy's* consideration.

ANTI-FOX.

LETTER CI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *5 November*, 1771.

JUNIUS, I see, has got my Lord Mansfield upon the hip, and fairly driven the Scotch out of their discretion, and almost out of their senses. The change in the apparent position of their cheek-bones is very remarkable. The complacent, insidious smile has universally given way to a ghastly grin of rancour and despair. Your correspondents *Anti-Junius* and *One of the Bail* actually foam at the mouth *.

* The following are copies of the letters here alluded to, which certainly evince no small degree of acrimony :—

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 4 *Nov.* 1771.

YOU have inserted in your paper of Saturday last a short, but infamous, paragraph, addressed to Lord Chief Justice Mansfield, and signed JUNIUS, alleging that his lordship had admitted to bail a man at the intercession of three of his countrymen, who JUNIUS presumes is also a Scotchman.

In justice to his lordship (although without his consent, approbation, or knowledge) I hereby declare, that he did not know who were the bail for Mr. Eyre, nor did any of them ever make any prior application to his lordship, nor were they personally acquainted with him, though 'tis probable his lordship might have seen them on juries. I also declare,

But calling *liar* and *scoundrel* is no answer to JUNIUS. He did *not* assert that the thief was a

declare, that Mr. Eyre is not a Scotchman, but an Englishman; and from what I can guess of JUNIUS, he is worse than either, viz. an Irishman, a liar, and a jesuit.

None of the three gentlemen who bailed Mr. Eyre ever saw him till the morning they went to Lord Mansfield's at Cane Wood to bail him. This they did purely to oblige an intimate friend who was connected with him by marriage, without any other motive whatsoever.

Whether the noble lord, whose very great abilities have brought upon him, though unjustly, the envy and malice of such assassins as JUNIUS, was right or wrong I leave to the learned in the law to defend, and have no doubt his lordship has acted in this matter according to his usual ability in law affairs, and rather with a view to enlarge than contract the liberty of the subject. At the same time, Mr. Printer, I should wish to be certain who this Mr. JUNIUS is who stabs all good characters in the dark. My reason is, I should be glad of an opportunity of using such a lying, infamous, cowardly scoundrel as he ought to be; for which purpose (if he chooses it), I have left my name with the printer.

One of the three who bailed Mr. Eyre.

TO JUNIUS.

4 *Nov.* 1771.

YOU seem to delight most in traducing the most exalted and most respectable characters.

You say, Lord Mansfield bailed Mr. Eyre at the *intercession* of three of his countrymen.

I say, that is *false;* and that what he did, was his duty to do

Scotchman;*—he only *presumed* it, from the circumstance of his being bailed by three of that country. It appears now that the thief

do as Lord Chief Justice of England, and perfectly agreeable to law and to constant practice.

You say, that you presume Mr. Eyre is a *Scotchman.*

I say, the culprit is an *Englishman.*

You say, his bail were all *Scotchmen.*

I say, they were. And how did that happen? Because a Scotchman is, by marriage, unhappily allied to him: and why should it be deemed a reproach that they joined in doing a good-natured office at the request of a countryman? Or that they contributed to alleviate the distress of an innocent woman, who, though unfortunately connected with the criminal, had not a participation in his guilt? Dost not thou know, thou slanderer, that the offence, though felony by law, was of the slightest kind? And would'st thou not, had that able and amiable judge (whose name will be an everlasting honour to this country) refused to admit Mr. Eyre to bail, have traduced his lordship for that very refusal, and charged him with executing the law with wanton rigour, *because he was an Englishman?*

Mr. Eyre *has* been brought to trial, and has pleaded guilty. *I say*, nevertheless, that the offence by the laws of England, *is bailable;* and I pledge myself, before God and my country, to prove, that Lord Chief Justice Mansfield acted in this matter agreeable to law, and that JUNIUS has shewn himself in this, and many other instances, a *public incendiary* and a *liar.*

ANTI-JUNIUS.

* His words are, "at the intercession of three of your countrymen, you have bailed a man, who, *I presume*, is also a Scotchman." See JUNIUS, Letter LXV. Vol. II. p. 397.

was *closely connected* with Scotland. These sweet-blooded children, even when they bail an *Englishman*, adhere to their principles. If the devil himself, connected as he is with an ancient nation, were taken up for felony, I do not doubt that all Scotland, to a *mon*, would readily be his security.

Junius did not blame the *bail* for interesting themselves in favour of their friend, countryman, or associate. Yet he might have done it with propriety. The thief was not charged on *suspicion*, but taken in the fact. He was, *ipso facto*, a felon, and to bail him required all the natural benevolence of Scotland. Either he had no English friends, or they were ashamed to acknowledge any connexion with him.

Instead of meeting Junius upon the strict question of law, these *loons* wander into circumstances of no moment, or defend Lord Mansfield by apocryphal assertions, which, if true, would be nothing to the purpose. One says that he has surrendered and taken his trial, the other that no intercession was made with Lord Mansfield:—one says that the felony (for which the culprit is unluckily transported), was of the *slightest* kind;—the other says that Eyre is an Englishman. Now the plain matter of fact is this. A thief, taken in the fact, is refused bail by the Lord Mayor of London.

Three *Scotchmen* take the said thief or felon before another—*Scotchman*, who bails the said felon. The single question arising from the fact, is, *was he, or was he not bailable by law?* For my own part, until I hear good reasons to the contrary, I shall abide by JUNIUS, because I am persuaded he would not hazard his credit so unnecessarily, if he were not very sure of his law.

A. B.

LETTER CII.

TO HIS ROYAL HIGHNESS THE DUKE OF CUMBERLAND.

13 *November*, 1771.

SIR,

I BEG your royal highness's acceptance of my sincere compliments of congratulation upon your auspicious union with the daughter of Lord Irnham*, and the sister of

* The marriage of the late Duke of Cumberland was first announced to the readers of the Public Advertiser in the following communication, obviously from the pen of JUNIUS.

INTELLIGENCE EXTRAORDINARY, THOUGH TRUE.

WE can assure the public that his Royal Highness the Duke of Cumberland is happily married to Mrs. Horton, sister

Colonel Luttrell. For the present you will have so few of these compliments paid you, that mine perhaps may be thought worthy your attention. I do assure your royal highness, with great sincerity, that, when I consider the various excellencies which adorn or constitute your personal character,—your natural parts,—your affable, benevolent, generous temper,—your good sense, so singularly improved by experience;—and, above all the rest, the uncommon education which your venerable mother took care to give you,—I do not think it possible to have found a more suitable match for you, than that which you have so discreetly provided for yourself. What you have done, will, I am sure, be no disgrace to yourself or to any of your relations. Yet I must confess, partial as I am to you for the sake of that good prince, of whose resemblance you carry some

sister of Lieutenant-Colonel Luttrell, the worthy nominee of Middlesex. The new-married pair are now celebrating their nuptials in France, where the Duchess of Cumberland receives all the honours due to her high rank, and new relation to the House of Brunswick.—This match, we are informed, was negociated by a certain duke and his cream-coloured parasite, by way of reward to Colonel Luttrell. It is now, happily for this country, within the limits of possibility, that a Luttrell may be King of Great Britain. There was no court yesterday.

cutting traces about you, I could wish you did not stand quite so near as you do to the regency and crown of England.—God forbid I should ever hear your royal nephews say, as Edward the Fifth does in the play, *But why to the Tower, uncle!—Or why should you lock us up, aunt!*—I mean their uncle Luttrell and aunt Horton.

But, my good youth, let no considerations of this sort interrupt your pleasures. Your amiable spouse is as much Duchess of Cumberland as our gracious queen is Queen of Great Britain; and of course she is the *second* woman in the kingdom. Your *papa* Irnham must at least take rank of Lord Mansfield;—your brother Henry of the Princes of Mecklenburg, and your sister Miss Luttrell of Madam Swellemburgh. As to the king's not acknowledging the duchess, or forbidding her the court, it signifies nothing. Her marriage is good in law, and her children will be legitimate. She may order plays, keep a court of her own, and set the princess dowager at defiance. But you need have no fear of being ill used. Your brother Harry has a dagger at the throat of a certain person, and swears he will let the cat out of the bag about the Middlesex election. So far from offending Harry, I should not wonder

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to see him aid de camp to the king, and, in a little time, commander in chief.

Whenever you want a divorce, you need only leave your spouse alone for an hour or two with *** ******. When he performed the office of father to *Poll Davis*, and gave her to his infatuated friend, he contrived to send the young man upon a fool's errand, and that very night consummated with her himself. You, I know, Sir, will never go upon a fool's errand, and I suppose it may be equally certain that your papa, if he had an opportunity, would not ****** ** ** **.

CUMBRIENSIS*.

LETTER CIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 19 *November*, 1771.

I HAVE great faith in JUNIUS, and wish the friends of the cause would leave Lord Mansfield entirely to *his* care†. It is not fair

* This letter is acknowledged by JUNIUS in his private correspondence, No. 42. EDIT.

† A great number of letters appeared in support of the doctrine maintained by JUNIUS on the subject of the bailment of Eyre. EDIT.

to anticipate his arguments, or to run down the game, which *he* has started. JUNIUS, I dare say, has it as much at heart to sacrifice Mansfield, with his own pen, as Achilles had to prevent any other of the Grecian army from killing Hector. The passage I allude to is one of the finest in the Iliad.

"Λαοῖσιν δ' ἀνένευε καρήατι δῖος Ἀχιλλεὺς
Οὐδ' ἔια ἔμεναι ἐπὶ Ἕκτορι πικρα βέλεμνα·
Μήτις κῦδος ἄροιτο βαλὼν, ὁ δὲ δεύτερος ἔλθοι."

22 B. line 205.

Divine Achilles, lest some Greek's advance
Should snatch the glory from his lifted lance,
Signed to the troops, to yield his *foe* the way,
And leave untouched the honours of the day.

POPE.

Yours,

ANTI-BELIAL.

LETTER CIV.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 4 *December*, 1771.

YOUR ingenious correspondent, *Anti-Junius*, has too much wit and taste to be easily satisfied. It is really a misfortune to be born with such exquisitely fine feelings. If, now that he is well fed and clothed, he cannot endure the severity of a southern breeze, what would become of him upon his native moun-

tains? JUNIUS can never write to please him.—If he receives the least mention of *past* enormities, what is it but "*cold scraps, baked meats, political fiddling*, and the *voice of the charmer!*" *hash'd mutton*, and *Dutch music* with a vengeance!—If, on the contrary, he lays any new villainies before the public, then, one and all, the hungry pack open upon him at once:—"*Here's invention for you!—What an abominable liar!—Why does not he stick to his facts! Does he think us such ideots as to swallow wit for truth!*" In short, Sir, the Scotch have strange, qualmish stomachs;—it is not in the art of cookery to please them. Nothing will go down but oatmeal and brimstone.

Anti-Junius is not so explicit as I could wish. 1. What *intercourse* was that between Lord Irnham and his daughter, which he says has been *so long interrupted?* I mean no offence to the lady, but really the word *intercourse* is a little equivocal.—2. What was *that purpose*, for which Sir James Lowther's grant was obtained, and which, *Anti-Junius* says, has been long since defeated?—3. Who does he mean by a *man ever burthensome to every administration?* I hope he does not mean the Duke of Grafton's friend Sir James Lowther, or at least that he does not give the baronet this pretty character by order of the Duke of Grafton.

After all, I really think that JUNIUS, called upon as he is by so able an antagonist, cannot do less than discover himself. He must be woefully given to suspicion, if he has the least doubt of the tender mercy of the Scotch, or of the forgiving piety of St. James's.

JUNIPER *.

* The following are the passages in *Anti-Junius*'s answer to JUNIUS, Letter LXVII. to which a reply is more particularly given in the above.

"Had JUNIUS a single friend in the world whom he dared trust or consult, his performance of yesterday, so uninstructive to your readers, so fatal to his reputation, would surely have never found its way to the press. His invective has neither novelty nor variety to recommend it; the public palate must nauseate at the insipidity of his repeated abuse, and loath the repast which his miserable thrift has attempted to furnish forth from the cold scraps and baked meats of his former scurrilous entertainments. In vain does this political fiddler labour for the public attention, by thrumming the wornout strings of Middlesex election, Whittlebury timber, Hine's patent, and the long-forgotten rule made absolute against the long-forgotten Vaughan. The voice of the charmer himself can no longer charm with these sounds; these chords so repeatedly struck fall flat, even upon the ear of envy itself."

* * * * *

"With the recriminating malice of antiquated virginity, he endeavours to sully the daughter's innocence with the father's crimes, suppressing a well-known circumstance, viz. that all intercourse between that father and that daughter has long been interrupted."

"Sir

LETTER CV.

TO LORD BARRINGTON.

MY LORD, 28 *January*, 1772.

It is unlucky for the army that you should be so thoroughly convinced as you are how extremely low you stand in their opinion. The consciousness that you are despised and detested by every individual in it, from the

* * * * *

"Sir James Lowther's nonsuit is in the eye of the heaven-reading JUNIUS another visible operation of retribution, —not on the king indeed: he does not seem to be affected by it, any farther than as it has introduced the parenthesis of the Luttrell alliance—but on the poor Duke of Grafton, whose days are anxious, and whose nights are sleepless, because a grant, obtained to serve a purpose long since defeated, and to gratify the importunities of a man ever burthensome to every administration, is adjudged invalid; for this the Duke of Grafton wears the dismal countenance of solitary sorrow; for this does he fruitlessly look round for consolations; for this does Mr. Bradshaw shed the April showers of lambent lamentation. Surely JUNIUS thinks to mislead reason and annihilate common-sense, by the use of a few ridiculous, half-meaning epithets."

* * * * *

"If you are really the honest state-gardener you would be thought, and not the malicious, discontented impostor I think you, away with your shuffling, well-worded delays; the noisome plant that has brought forth such bitter fruit, is surely now ripe enough to be plucked." EDIT.

drummer (whose discipline might be of service to you) to the general officer, makes you desperate about your conduct and character. You think that you are arrived at a state of security, and that, being plunged to the very heels in infamy, the dipping has made you invulnerable. There is no other way to account for your late frantic resolution of appointing *Tony Shammy* your deputy-secretary at war.—Yet I am far from meaning to impeach his character as a broker. In that line he was qualified to get forward by his industry, birth, education, and accomplishments. I make no sort of doubt of his cutting a mighty pretty figure at Jonathan's. To this hour among bulls and bears his name is mentioned with respect. Every Israelite in the alley is in raptures. *What, our old friend, little Shammy!—Ay, he was always a tight, active little fellow, and would wrangle for an eighth as if he had been born in Jerusalem. Who'd ha' thought it! Well, we may now look out for the rebuilding of the temple.*—My lord, if I remember right, you are partial to the spawn of Jonathan's. Witness the care you took to provide for Mr. Delafontaine in the military department. He limped a little when he left the alley *, but your lordship soon set

* The transactions here referred to in respect to Delafontaine and Chamier, or Shammy as he was called in the alley,

him upon his legs again.—This last resolution however approaches to madness. Your cream-coloured Mercury * has over-reached both you and himself; and remember what I seriously tell you, this measure will, sooner or later, be the cause, not of your disgrace,—(that affair's settled) but of your ruin. What dæmon possessed you to place a little gambling broker at the head of the war-office, and in a post of so much rank and confidence, as that of deputy to the secretary at war?—(I speak of your office, not of your person.)—Do you think that his having been useful in certain practices to Lord Sandwich gives any great relief to his character, or raises him in point of rank? My lord, the rest of the world laugh at your choice; but we soldiers feel it as an indignity to the whole army, and be assured we shall resent it accordingly.—Not that I think you pay much regard to the sensations of any thing under the degree of a general officer, and even that rank you have publicly stigmatised in the most opprobrious terms. Yet still some of them, though

alley, are more particularly noticed in the Private Letters, No. LII and LVI. Chamier was successor in the war-office to Mr. D'Oyly, who was discarded to make room for him. EDIT.

* T. Bradshaw, whose absurd elevation has been already noticed, and will occasionally be found observed upon again. EDIT.

in your wise opinion not qualified to command, are entitled to respect. Let us suppose a case, which every man acquainted with the war-office will admit to be very probable. Suppose a lieutenant-general, who perhaps may be a peer, or a member of the House of Commons, does you the honour to wait upon you for instructions relative to his regiment. After explaining yourself to him with your usual accuracy and decision, you naturally refer him to your deputy for the detail of the business. *My dear general, I'm prodigiously hurried.—But do me the favour to go to Mr. Shammy;—go to little Waddlewell;—go to my duckling;—go to little three per cents reduced;—you'll find him a mere scrip of a secretary; an* OMNIUM *of all that's genteel;—the activity of a broker;—the politeness of a hairdresser;—the———the———the &c.*

Our general officer we may presume being curious to see this wonderful Girgishite, the following dialogue passes between them.

Lieut. Gen. Sir, the secretary at war refers me to you for an account of what was done—

Waddlewell. Done, Sir!—Closed at three-eighths!—Looked flat I must own;—but to-morrow, my dear Sir, I hope to see a more lively appearance.

Lieut. Gen. Sir, I speak of the non-effective fund.

Waddlewell. Fund, my dear Sir! In what fund would you wish to be concerned?—Speak freely—You may confide in your humble servant;—I'm all discretion.

Lieut. Gen. Sir, I really don't understand you. Lord Barrington says that my regiment may possibly be thought of for India——

Waddlewell. India, my dear Sir!—strange fluctuation:—from fourteen and an half to twenty-two, never stood a moment:—but ended cheerful;—no mortal can account for it.

Lieut. Gen.—Damn your stocks, Sir, tell me whether the commission——

Waddlewell. As for commission, my dear Sir, I'll venture to say that no gentleman in the alley does business upon easier terms. I never take less than an eighth, except from Lord Sandwich and my brother-in-law, but they deal largely, and you must be sensible, my dear Sir, that when the commission is extensive, it may be worth a broker's while to content himself with a sixteenth.

The general officer, at last, fatigued with such extravagance, quits the room in disgust, and leaves the intoxicated broker to settle his accounts by himself.

After such a scene as this, do you think that any man of rank or consequence in the army will ever apply to you or your deputy

again?—Will any officer of rank condescend to receive orders from a little, whiffling broker, to whom he may formerly perhaps have given half-a-crown for negociating an hundred pound stock, or sixpence for a lottery ticket.—My lord, without a jest, it is indecent, it is odious, it is preposterous.—Our gracious master, it is said, reads the newspapers. If he does, he shall know minutely in what manner you treat his faithful army. This is the first of sixteen letters addressed to your lordship, which are ready for the press, and shall appear as fast as it suits the printer's convenience.

VETERAN.

LETTER CVI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 6 *Feb.* 1772.

THERE is one general, easy way of answering JUNIUS, which his opponents have constantly had recourse to since *he* first began to write, or *they* to answer him. They either misquote his words and mistate his propositions, or they laboriously employ themselves in refuting doctrines which he has not maintained, or maintaining others which he has not

disputed *.—This has been particularly their practice in all the argument about the bailment of Eyre.

1°. JUNIUS has never affirmed that the judges of the court of King's Bench were named or specially comprehended in the statute of Westminster, or any other of the old statutes preceding the *Habeas Corpus* act. The design of those quotations was to prove the meaning and intention of the legislature with respect to the right of bailing a person under the circumstances of Mr. Eyre. This meaning and intention, once clearly proved, he affirms, is the direction and land-mark to the judge in the exercise of that discretionary power which the law has left with him.

2°. JUNIUS has not denied that the judges of the court of King's Bench have a discretionary power to bail in all cases, *according to the circumstances of the cases.* But does it follow that they may legally bail when *no circumstances whatsoever* are alleged on one side to alleviate the force of the positive charge of

* This letter is more particularly designed as a reply to a very long and elaborate one published the preceding day in the Public Advertiser, and addressed Justinius to JUNIUS. It is certainly well written, but unquestionably labours under the defects here complained of. EDIT.

felony made on the other?—If it does, their power of bailing is *arbitrary*, not *discretionary*. —Discretion implies consideration; but if no allegations whatsoever be made in behalf of the prisoner, they have then nothing to consider. The warrant of commitment expresses a positive charge of felony. If nothing be alleged in behalf of the prisoner, the judge has then no subject, whereupon to exercise his discretion. He has no choice. He *must* remand the prisoner.

3°. JUNIUS does not insist upon the case of Eyre so much on the score of its own enormity as because it establishes a dangerous doctrine, applicable to all crimes however indisputably proved, and gives the judges an *arbitrary* power which the laws never meant to give them. As to Lord Mansfield, it is probable that JUNIUS would not have attacked him in the manner he has done if this had been the only instance of his misconduct. In truth, it is one out of a multitude.

I beg leave to conclude with asking this wicked judge two plain questions:—1°. Is there or is there not any difference between offences *bailable* and offences *not bailable;* and if there be, what is it?—2°. When the legislature, in the *Habeas Corpus* act, do, specially and by name, forbid the judges of the court of King's

Bench to proceed to the bailment of the prisoner, if it shall appear to them that he is committed for such matters or offences, *for the which by the law the prisoner is not bailable*, have they any meaning, or have they none at all? Let it be remembered that JUNIUS never pretends to be a better lawyer than Lord Mansfield. On the contrary, he takes every opportunity to acknowledge the superior learning and abilities of that wicked judge; and in the present instance particularly insists, not that he was ignorant of the law, but that he sinned against his own certain knowledge and conviction.

ANTI-BELIAL.

LETTER CVII.

TO LORD BARRINGTON.

NUMBER II.

MY LORD, ... 17 *February*, 1772.

IN my last letter I only meant to be jocular. An essay so replete with good humour could not possibly give offence. You are no enemy to a jest, or at least you would be thought callous to reproach. You profess a most stoical indifference about the opinion of the world, and, above all things, make it your boast that you can set the newspapers at defiance. No man indeed has received a greater share of

correction in this way, or profited less by it, than your lordship. But we know you better. You have one defect less than you pretend to. You are not insensible of the scorn and hatred of the world, though you take no care to avoid it.—When the bloody Barrington, that silken, fawning courtier at St. James's,—that stern and insolent minister at the war-office, is pointed out to universal contempt and detestation, you smile, indeed, but the last agonies of the hysteric passion are painted in your countenance. Your cheek betrays what passes within you, and your whole frame is in convulsions.—I now mean to be serious with you, but not to waste my time in proving that you are an enemy to the laws and liberties of this country. The very name of Barrington implies every thing that is mean, cruel, false, and contemptible. The Duke of Newcastle's livery was the first habit you put on.—What an indefatigable courtier at his levee! —What an assiduous parasite at his table!—Was there a dirty job to be performed,—*away went Barrington.*—Was a message to be carried,—*Who waits there?—My Lord Barrington.* After ruining that brave and worthy man General Fowke * under the auspices of the Duke

* General Fowke, who was then stationed at Gibraltar, received instructions in several letters from Lord Barrington, shortly after his appointment to be secretary at war in 1760,

of Newcastle, who saved you from destruction, you deserted to Mr. Pitt the moment he came into power. Before the late king's death you secured a footing at Carlton-house; and were prepared to abandon your last patron, the moment Lord Bute assumed the reins of government.—From Lord Bute to Mr. Grenville there was an easy transfer of your affections. You are the common friend of all ministers, but it is not in your policy to engage in overt acts of hostility against those, who may perhaps be next in turn to patronise Lord Barrington. *My dear lord*, or *my dear Sir*, are titles with which you have occasionally addressed every man who ever had an office, or the chance of an office in this kingdom. Even the proscribed John Wilkes, the moment he was sheriff, had a claim upon your politeness. Your character was a little battered by the frequency of your political amours, when Lord Rockingham took you into keeping.—While you existed by *his* protection, you intrigued with the Duke of

1760, under the Duke of Newcastle's administration, which produced measures that had nearly effected the loss of that important post. Lord Barrington, on perceiving the blunder he had committed, most dangerously prevailed on General Fowke to take the chief blame upon himself, under a promise of indemnification. The result was that Fowke was ruined, and Barrington liberated. EDIT.

Grafton.—Another change succeeded.—Your mind was open to new lights, and, *without a doubt, Lord Chatham was the only man in the kingdom fit to govern a great empire.*—Still however your opinions of men and things were not perfectly settled. When the Duke of Grafton took the lead, the pliant Barrington of course saw things in a different point of view. There is nothing in your attachments that savour of obstinacy.—When his grace resigned, you soon discovered that to establish government upon a solid footing the minister's presence was indispensable in the House of Commons.—Lord North was then the man after your lordship's own heart.—In *your* ideas, the first lord of the treasury for the time being is always perfect:—*but every change is for the better.*—With all your professions of attachment to this temporary minister, I tell him, and I tell the public, that at this very hour you are caballing with the Duke of Grafton and the Bedfords to obtain the recall of Lord Townshend, and to drive Lord North from the treasury.—But they all know you.—In the inventory of the discarded minister's effects, Lord Barrington is always set down as a fixture.

By garbling and new modelling the war-office, you think you have reduced the army to subjection.—*Walk in, gentlemen! Business done*

by Chamier and Co.—To make your office complete, you want nothing now, but a paper-lanthorn at the door, and the scheme of a lottery pasted upon the window.—With all your folly and obstinacy, I am at a loss to conceive what countenance you assumed, when you told your royal master, that you had taken a little Frenchified broker from 'Change Alley, to intrust with the management of all the affairs of his army.—Did the following dialogue leave no impression upon your disordered imagination? You know where it passed.

K.—Pray, my lord, whom have you appointed to succeed Mr. D'Oyly?

B.—Please your M——, I believe I have made a choice, that will be highly acceptable to the public and to the army.

K.—Who is it?

B.—Sire, it s'appelle Ragosin. Born and educated in 'Change Alley, he glories in the name of broker; and, to say nothing of Lord Sandwich's friendship, I can assure your M—, he has always kept the best company at Jonathan's.

K.—My lord, I never interfere in these matters. But I cannot help telling your lordship, that you might have consulted my honour and the credit of my army a little better. Your appointment of so mean a person, though he

may be a very honest man in the mystery he was bred to, casts a reflection upon *me*, and is an insult to the army. At all events, I desire it may be understood that I have no concern in this ill-judged, indecent measure, and that I do not approve of it.

I suppose, my lord, you thought this conversation might be sunk upon the public. It does honour to his Majesty, and therefore you concealed it.—In my next I propose to shew what a faithful friend you have been to the army, particularly to old worn out officers.

VETERAN.

LETTER CVIII.

TO LORD BARRINGTON.

NUMBER III.

MY LORD, *27 February*, 1772.

THE army now, according to your own account of the matter, is under a very creditable sort of direction. If we may rely upon the secretary at war's opinion, solemnly and deliberately expressed before the House of Commons, there is not a single man in the profession, who is in any shape qualified for commander in chief; at least none, whom you would think it safe to recommend to his Majesty. If your judgment upon this subject had been better founded than it is, I do not understand that a

secretary at war has any right to pass so disgraceful and precipitate a sentence upon so many of his superiors. Believe me, my good lord, there is not one of those officers, whom you dared to stigmatise in that infamous manner, who is not qualified to be your master in the art military, notwithstanding all the experience you got in St. George's Fields, when you urged and exhorted the guards to embrue their hands in the blood of their fellow-subjects.—While that bloody scene was acting, where was the gentle Barrington?—Was he sighing at the feet of antiquated beauty?—Was he dreaming over the loo-table, or was he more innocently employed in combing her ladyship's lap-dog?—But, my lord, when you paid that pretty compliment to the body of general officers, had you no particular apologies to make to General Conway, to Lord Albemarle, or to Sir Jeffery Amherst?—Did General Harvey deserve nothing better of you, than a ridiculous nickname, which, like Lord Mansfield's secret, he must carry with him to his grave?—In lieu of a commander in chief, you have advised the king to put the army into commission.—*A graduate in physic, an old woman, and a broker from 'Change Alley.*—The doctor prescribes,—the old gentlewoman administers,—and little *Syringe*, the apothecary, stands by the glisterpipe.—This,

you tell the king, is making himself commander in chief, and the surest way to preserve the affections of the army.—It may be so, my lord, but I see no right you had to give the nickname of *Doctor Radcliffe* to so brave a man as General Harvey. Though his natural sweetness of temper may induce him to pass it by, it must always be mortifying to a brave adjutant-general, when he marches into St. James's coffee-house, to hear the ensigns of the guards whisper to one another—*here comes the doctor;* —or when he marches out, *there goes the doctor.*—I dare say, he has furnished work enough for the surgeons; but, until you so politely pointed it out, I cannot say I ever saw any thing medical in his appearance.

After treating the most powerful people in the army with so much unprovoked insolence, it is not to be supposed that field-officers, captains, and subalterns have any chance of common justice at your hands. But that matter shall be the subject of another letter, and every letter shall be concluded with a conversation piece. The following dialogue is not imaginary.

SCENE.—WAR-OFFICE.

Enter Barrington, *meeting* Waddlewell.

B.—My dear friend, you look charmingly this morning.

W.—My dearest lord—the sight of your lordship—!—*Here they embrace, Waddlewell's thoughts being too big for utterance.*

B.—When did you see my *Pylades*, our dear *Bradshaw?*

W.—Ay, my lord—there is a friend indeed. —Firmness without resistance,—sincerity without contradiction,—and the milky way painted in his countenance.—If I could ever reconcile my mind to the distracting prospect of losing your lordship, where else should we look for a successor! But that event, I hope, is at a great distance. *Late, very late, Oh may he rule us!*

B.—Ay my dearest Waddlewell, but we are sadly abused, notwithstanding all our virtues.

W.—Merit, my dear lord, merit will for ever excite enmity.—I found it so in the alley. I never made a lucky hit in my life, that it did not set all Jonathan's in an uproar. If an *idea* succeeded, my best friends turned against me, Judas and Levi, Moses and Issachar.—People with whom I have been connected by the tenderest ties,—could not endure the sight of my prosperity. The ten tribes of Israel united to destroy me, and for two years together were malicious enough to call me *the lucky little Benjamin.* Friendship, among the best of men, is little better than a name.

B.—Why, my dear deputy, it is not that I

regard the contempt and hatred of all mankind. —I never knew it otherwise. No man's patience has been better exercised. But what if the king should hear of it.—

W.—Ay, there's the rub!

B.—If the best of princes, who pretends to be his own commander in chief, should hear that the name of Barrington is opprobrious in the army;—that even he himself is not spared for supporting me—

W.—*Weeping.*—Oh fatal day!—Compared with this, what is a riscounter!—Alas, my dearest lord, you have unmanned your deputy.—I feel myself already at ten per cent. discount, and never shall be at par again.

B.—Something must be done.—Let us consider.—

W.—Ay, my dear lord, for heaven's sake, let us speculate.

Exeunt, disputing about precedence.

VETERAN.

LETTER CIX.

TO LORD BARRINGTON.

NUMBER IV.

10 *March*, 1772.

MY LORD,

I AM at a loss for words to express my acknowledgment of the signal honour you have

done me. One of the principal purposes of these addresses, was to engage you in a regular, public correspondence. You very justly thought it unnecessary to sign your name to this last, elegant performance. *Novalis** answers as well as Barrington. We know you by your style. This is not the first of your epistles, that has been submitted to the criticism of the public. While yet, like poor *Waddlewell*, you were young in office, your letters to General Fowke were considered as the standard of perspicuity†. You are now *very old* in office, and continue to write exactly as you did in your infancy. I do not wonder that the extremes of your capacity should meet in the same point, but I should be glad to know at what period you reckoned yourself in the prime and vigour of your official understanding.—Was it when you signified to the third regiment of guards his Majesty's gratitude and your own, for the alacrity in butchering their innocent fellow-subjects in St. George's Fields‡?—Was it when you informed the House

* The name subscribed by a writer who undertook the defence of Lord Barrington; and whom our author, according to his usual custom, here identifies with the noble earl. EDIT.

† See note to Letter CVII. EDIT.

‡ See note to Miscellaneous Letters, No. XXIV. ante p. 57, in which the letter here alluded to is inserted. EDIT.

of Commons, that *you* and the *doctor* were equivalent to a commander in chief?—Or when you declared that there was not a man in the army fit to be trusted with the command of it?—Or when you established that wise and humane regulation that no officer, let his age and infirmities be ever so great, and his services ever so distinguished, should be suffered to sell out, unless he had bought all his former commissions?—Or in short was it when you dived into *Jonathan*'s for a deputy, and plucked up *Waddlewell* by the locks? When you answer these questions, I shall be ready to meet your lordship upon that ground, on which you think you stand the firmest. In the mean time, give me leave to say a few words to *Novalis*.

You are pleased to observe that my three first letters are filled with low scurrility upon hackneyed topics collected from the newspapers. Have a little patience, my dear lord;—I shall soon come to closer quarters with you. As for those dialogues, which you are pleased to say have neither wit nor humour in them, I can only observe that there are many scenes, which pass off tolerably well upon the stage, and yet will not bear the examination of the closet. You and *Waddlewell* are excellent performers. Between a courtier and a broker *words* are the smallest part of the conversation.

Shrugs and smiles, bows and grimaces, the condescension of St. James's, and the pliant politeness of 'Change Alley, stand in the place of repartee, and fill up the scene.

You intimate, without daring directly to assert, that *you did not* fix that odious stigma upon the body of general officers. Have you forgot the time when you attempted the same evasion in the House of Commons, and forced General Howard to rise and say he was ashamed of you?—These mean, dirty, pitiful tricks are fitter for Jonathan's than the war-office.

You have more experience than any of your clerks, and your great abilities are acknowledged on all sides.—As for your experience, we all know how much your conduct has been improved by it. But pray who informed you of this *universal acknowledgment* of your abilities? The sycophants, whose company you delight in, are likely enough to fill you with these flattering ideas. But if you were wise enough to consult the good opinion of the world, you would not be so eager to establish the credit of your understanding. The moment you arrive at the character of a man of sense you are undone. You must then relinquish the only tolerable excuse that can be made for your conduct.—It is really unkind of you to distress the few friends you have left.

To your lordship's zeal to discover and patronise *latent* merit, the public is indebted for the services of Mr. Bradshaw.—Pray, my lord, will you be so good as to explain to us, of what nature were those services, which he first rendered to your lordship?—Was he winged like a messenger, or stationary like a centinel?

> ——"Like Maia's son he stood
> And shook his plumes;"——

videlicet at the door of Lady ——n's cabinet. —His zeal in the execution of this honourable office promoted him to another door, where he also stands centry,

> ——"Virgâque levem coercet
> *Aureâ* turbam."

That he has ably served the state, may be collected from the public acknowledgments the ministry have made him. Fifteen hundred pounds a year, well secured to himself and his family, will acquit the king of any ingratitude to Mr. Bradshaw. It is by mere accident that Sir Edward Hawke and Sir Jeffery Amherst are no better provided for.

But we are indebted to your lordship for another discovery of merit equally latent with Mr. Bradshaw's.—You have a phœnix of a deputy, though yet he is but young in his nest.—He has hardly had time to clear his wings from the ashes that gave him birth.—This too was

your lordship's apology for ruining General Fowke. You gave it in evidence, that you had been but four months in office; and now you tell us that your deputy also is in the same unfledged state of noviciate;—though for abilities and knowledge of the world, neither *Jew* nor *Gentile* can come up to him! For shame, my Lord Barrington, send this whiffling broker back to the mystery he was bred in. Though an infant in the war-office, the man is too old to learn a new trade.—At this very moment they are calling out for him at the bar of Jonathan's—Shammy!—Shammy!—Shammy!—The house of *Israel* are waiting to settle their last account with him.—During his absence things may take a desperate turn in the alley, and you never may be able to make up to the man what he has lost in half-crowns and sixpences already.

VETERAN.

LETTER CX.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, *23 March*, 1772.

I DESIRE you will inform the public that the worthy Lord Barrington, not contented with having driven Mr. D'Oyly out of the

war-office, has at last contrived to expel Mr. Francis*. His lordship will never rest 'till he has cleared his office of every gentleman who can either be serviceable to the public, or whose honour and integrity are a check upon his own dark proceedings. Men, who do their duty with credit and ability, are not proper instruments for Lord Barrington to work with.—He must have a broker from 'Change-Alley for his deputy, and some raw, ignorant boy for his first clerk. I think the public have a right to call upon Mr. D'Oyly and Mr. Francis to declare their reasons for quitting the war-office. Men of their unblemished character do not resign lucrative employments without some sufficient reasons. The conduct of these gentlemen has always been approved of, and I know that they stand as well in the esteem of the army, as any persons in their station ever did. What then can be the cause that the public and the army should be deprived of their service?—There must certainly be something about Lord Barrington which every honest man dreads and detests. Or is it that they cannot be brought to connive at his jobs and underhand dealings?—They have too much honour, I suppose, to

* Francis, now Sir Philip, and D'Oyly were chief clerks in the war-office: the displacement of D'Oyly to make room for Chamier has been already noticed in letter CV. EDIT.

do some certain business *by commission*.—They have not been educated in the conversation of Jews and gamblers;—they have had no experience at Jonathan's;—they know nothing of the stocks; and therefore Lord Barrington drives them out of the war-office.—The army indeed is come to a fine pass, with a gambling broker at the head of it!—What signifies ability, or integrity, or practice, or experience in business. Lord Barrington feels himself uneasy while men with such qualifications are about him. He wants nothing in his office but ignorance, impudence, pertness, and servility. Of these commodities he has laid in a plentiful stock, that ought to last him as long as he is secretary at war. Again, I wish that Mr. Francis and Mr. D'Oyly would give the public some account of what is going forward in the war-office. I think these events so remarkable that some notice ought to be taken of them in the House of Commons. When the public loses the service of two able and honest servants, it is but reasonable that the wretch, who drives such men out of a public office, should be compelled to give some account of himself and his proceedings.

VETERAN.

LETTER CXI.

TO LORD BARRINGTON *.

MY LORD, 4 *May*, 1772.

I AM a Scotchman, and can assure your lordship that I do not esteem my country, or the natives of it, the less because we are not so happy as to be honoured with Lord Barrington's favourable opinion.—From a pamphlet, which lately fell in my way, I perceive that there is something in the temper of the Scots, that does not suit the manly, sterling virtue which distinguishes your own worthy character. We are too insolent to those beneath us, and too obsequious to our superiors; and with such a disposition must never hope to find favour with Lord Barrington! "And Cockburne, *like most of his countrymen*, is as abject to those above him, as he is insolent to those below him." These are your words, given under your hand, as the solemn, deliberate opinion of his Majesty's secretary at war. Such a censure, coming from a man of honour, good sense, or integrity, might perhaps have some weight with the thoughtless or uncandid. But when it comes from a man whose whole life has been

* The original copy of this letter is still in the hands of the proprietor of this edition. EDIT.

employed in acting the part of a false, cringing, fawning, time-serving courtier,—from a man who never had a different opinion from the minister for the time being, and who has always contrived to keep some lucrative place or other under twenty different administrations, I am not so much offended at the reproach itself, which you have thought proper to throw upon the Scots, as I am shocked at the unparalleled impudence of applying your own individual character to a whole nation.—It seems my countrymen *are abject to those above them.* Pray, my good lord, by what system of conduct have you recommended yourself to every succeeding minister for these last twenty years?—Was it by maintaining your opinion upon all occasions, with a blunt, firm integrity, or was it by the basest and vilest servility to every creature that had power to do you either good or evil?—*But we are insolent to those below us.* Indeed, my lord, you paint from your own heart. There is courage at least in *our* composition. It is the coward who fawns upon those above him. It is the coward that is insolent, wherever he dares be so. You have had some *lessons* which have made you more cautious than you used to be. You have reason to remember that modest, humble merit will not always bear to be insulted by an upstart in office. For the fu-

ture, my little lord, be more sparing of your reflections upon the Scots. We pay no regard to the calumny of anonymous writers, and despise the malignity of John Wilkes. But when a man, so high in office as you are, pretends to give an odious character of a whole nation, and sets his name to it, we should deserve the reproach, if we did not resent it. You are so detested and despised by all parties (because all parties know you) that England, Scotland, and Ireland have but one wish concerning you, and that is, that, as you have shewn yourself a fawning traitor to every party and person, with which you ever were connected, so all parties may unite in loading you with infamy and contempt.

SCOTUS.

LETTER CXII.

TO THE RIGHT-HONOURABLE THE LORDS COMMISSIONERS OF THE ADMIRALTY.

MY LORDS, 8 *May*, 1772.

HAVING seen in last Saturday's paper that Mr. Bradshaw was appointed to be a member of your board, give me leave to congratulate your lordships on the event, as a person of Mr. Bradshaw's birth and talents may be of the greatest use to you on many occasions, besides

adding infinitely more weight and dignity to the board; I was therefore a good deal surprised at the simple manner in which his *well merited* promotion was announced to the public, but must attribute it either to *his own modesty*, or the printer's ignorance: but whatever be the cause, I think it necessary to acquaint you, his brother lords, with a little of his history.

It is needless to trouble your lordships with an account of his birth or education, as the first might be a very difficult task, and the latter your lordships may see has not been neglected. His first appearance in the *great world* was as one of Lord Barrington's domestics, from whence he moved to Ireland, set up a shop, and under the influence of a happy planet returned to England, where, by means of his uncommon address in administering to the *pleasures of the great*, he was appointed one of the secretaries to the treasury, which office he held during the Duke of Grafton's administration, and by exerting his happy talents between his grace and the celebrated Nancy Parsons, he so far ingratiated himself with the duke, that he became his chief confident, and was privy to the whole of his *generous treatment* of that young lady, and of course became his grace's *bosom friend;* for which service he first received a pension of *fifteen hundred pounds a year for*

three lives, and that not being sufficient is now made *one of you*. I cannot avoid again congratulating you on the acquisition of such *a brother member*, as it is to be hoped he will assist any of your lordships with his good offices upon all occasions.

I have the honour to be,
My lords,
Your lordships most humble
And obedient servant,
Pall-Mall. ARTHUR TELL-TRUTH.

LETTER CXIII.

TO THE PRINTER OF THE PUBLIC ADVERTISER *.

SIR, 12 *May*, 1772.

I AM just returned from a visit in a certain part of Berkshire near which I found Lord Barrington had spent his Easter holidays. His lordship, I presume, went into the country to indulge his grief; for whatever company he happened to be in, it seems his discourse turned entirely upon the hardship and difficulty of his situation. The impression which he would be glad to give of himself is that of an

* This letter was advertised under the title of Memoirs of Lord Barrington, in compliance with the request of the author. See private note, No. LXII. EDIT.

old, faithful servant of the crown, who on one side is abused and vilified for his great zeal in support of government, and at the same time gets no thanks or reward from the king or the administration. He is modest enough to affirm in all companies, that *his* services are unrewarded; that *he* bears the burthen; that other people engross the profits; and that *he* gets nothing. Those who know but little of his history may perhaps be inclined to pity him; but he and I have been old acquaintance, and considering the size of his understanding, I believe I shall be able to prove, that no man in the kingdom ever sold himself and his services to better advantage than Lord Barrington.—Let us take a short review of him from his political birth.

On his entrance into the House of Commons he declared himself a patriot; but he soon found means to dispose of his patriotism for a seat at the admiralty-board. This worthy man, before he obtained his price, was as deeply engaged in opposition to government, as any member of the *Fountain club* to which he belonged. He then thought it no sin to run down Sir Robert Walpole, though now he has altered his tone. To oppose the measures of government, however dangerous to the constitution, or to attack the persons of ministers, however justly odious to the nation, is now *rank*

faction in the opinion of the pliant Lord Barrington. His allegiance follows the descent of power, nor has he ever been known to dispute the validity of the minister's title, as long as he continued in possession.

His lordship remained at the admiralty, until long servility and a studious attachment to the Duke of Newcastle had engaged his grace to recommend him for secretary at war. When the duke resigned in the year 1756, he of course expected that Lord Barrington would have followed him. But his lordship's gratitude to his patron was not quite heavy enough to weigh against two thousand five hundred a year. He knew the value of his place, and kept it by making the same professions to Mr. Pitt and Lord Temple by which he had deceived the Duke of Newcastle. Before the late king's death, he had taken early measures to secure an interest at Carlton-house; and when his present Majesty could no longer bear him as secretary at war, he found means to ingratiate himself so far with Lord Bute, that for some time he was suffered to be chancellor of the exchequer; and when that post appeared to be not tenable, he still had art and contrivance enough to secure himself in the lucrative office of treasurer of the navy. In 1762, he was the

most humble servant of Mr. Fox. In 1763 and 1764, he was no enemy to Mr. Grenville. In 1765, he gave himself back, body and soul, to the late Duke of Cumberland and Lord Rockingham. This last manœuvre restored him to the war-office, where he has continued ever since, with equal fidelity to Mr. Pitt, the Duke of Grafton, and Lord North; and now he modestly tells the world *that he gets nothing* by his services.

Besides the singular good fortune of never being himself a moment out of place, he has had extraordinary success in providing for every branch of his family. One brother was a general officer, with a regiment and chief command at Gaudaloupe. A second is high in the navy with a regiment of marines. A third is a judge, and the fourth is a bishop. Yet this is the man who complains *that he gets nothing*. At the same time his parliamentary interest is so inconsiderable, that ever since his canting hypocrisy and pretended attachment to the dissenters was discovered at Berwick, he has been obliged to the influence of government for a seat in the House of Commons, which he holds without its costing him a shilling.

Having given you a short account of the emoluments he has received from government,

I should be very glad to see as faithful an account of his services. Some of them are probably of a secret nature, of which we can form no judgment. His ostensible services, in the public opinion at least, have been considerably overpaid. At his very outset, the blundering orders he sent to Gibraltar might have occasioned the loss of that important place. When the fate of Gibraltar was at stake, we had a secretary at war who could neither write plain English nor common sense. But he compensated for his own blunder by ruining the worthy General Fowke, whom he and a certain countess (taking a base advantage of the unhappy man's distress), prevailed upon to write a letter, the recollection of which soon after broke his heart. In the House of Commons, I think, the noble lord was never reckoned an able debater. *Poor B—ch* for many years was his nickname. His time-serving duplicity is now so well known, that he seldom speaks without being laughed at. Sometimes his folly exceeds all bounds; as, for instance, when he traduced the whole body of general officers, which, I presume, they will not readily forget. In the war-office he has made it his study to oppress all the lower part of the army by a multitude of foolish regulations, by which he hoped to gain the reputation of great discipline and economy,

but which have only served to make him as odious to the military, as he is to every other rank of people in the kingdom. With respect to the public in general, I presume there never was a man so generally or so deservedly detested as himself. The people of this country will never forget nor forgive the inhuman part he took in the affair of St. George's Fields. Other secretaries at war have ordered out troops to assist the civil magistrate. For this man it was reserved, to give it under his hand, that he rejoiced and exulted in the blood of his fellow-subjects. This stroke alone would be sufficient to determine his character. Yet so far from having done the king any service by his officious zeal upon this occasion, I am convinced that no one circumstance has so much contributed to throw an odium upon the present reign. I will not suppose it possible, that the best of princes could be pleased with the treason, but I am sure he has reason enough to hate the traitor.

Such are the services, which, in his lordship's opinion, can never be sufficiently rewarded. He complains that he gets nothing, although, upon a moderate computation, he has *not* received less of the public money than fifty-three thousand pounds, viz.

Ten years lord of the admiralty	£8000
Eighteen years either secretary at war, chancellor of the exchequer, or treasurer of the navy, at 2500 per annum	45,000
	53,000

It is not possible to ascertain what farther advantages he may have made by preference in subscriptions, lottery tickets, and the management of large sums lying in his hands as treasurer of the navy. Mr. Chamier, if he thought proper, might give us some tolerable account of the matter. When a secretary at war chooses a broker for his deputy, it is not difficult to guess what kind of transactions must formerly have passed between them. I don't mean to question the honour of Mr. Chamier. He always had the reputation of as active a little fellow as any in Jonathan's. But putting all things together, I think we may affirm that, when Lord Barrington complains of getting nothing from government, he must have conceived a most extravagant idea of his own importance, or that the inward torture he suffers, from knowing how thoroughly he is hated and despised, is such as no pecuniary emoluments can repay.

NEMESIS.

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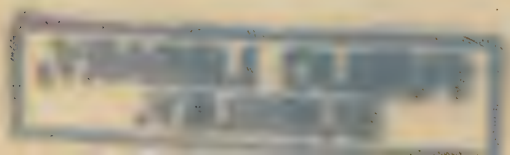

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In a very few instances the word "EDIT." has been omitted at the foot of notes to which it ought to have been subfixed.

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